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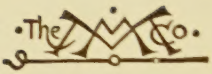
THE BALKAN PIVOT: YUGOSLAVIA



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THE BALKAN PIVOT: YUGOSLAVIA

A STUDY IN GOVERNMENT AND ADMINISTRATION

BY

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and

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OF THE NEW YORK BAR

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PREFACE

THIS study was undertaken at the request of the America-Yugoslav Society of New York and carried out under the auspices of the National Institute of Public Administration.

For many reasons the Society was inclined to the view that such a volume might be of interest to people in the United States and Yugoslavia. It is not forgotten in either country that President Wilson gave inspiration and support to the movement which finally led to the establishment of the Kingdom of the Serbs, Croats, and Slovenes at the close of the World War. When the President's name was mentioned by one of the authors in an address before the municipal authorities of Belgrade in February, 1928, a hearty cheer indicated a deep-seated appreciation of that statesman's services in the creation of the Yugoslav nation. It must be remembered also that there are in the United States more than half a million Yugoslavs who, even if they have transferred their allegiance to this country, watch with concern the progress of their own race beyond the sea.

Although Belgrade is rather remote from New York, there are many analogies between the conditions in which the Yugoslavs found themselves at the close of the World War and those prevailing in the United

substance with which the statesmen of the future must deal, whatever may be the superstructure of the government.

C. A. B.
G. R.

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division into classes, the development of political parties, the content of legislation, the nature of administration, and the possibilities of national development. Those factors are: (1) the economic realities of the country, that is, climate, soil, natural resources, geographical location, industries, and the prevailing distribution of capital and wealth; (2) its heritage of political ideas and practices; (3) its borrowings from other nations; and (4) scientific research, kindled by imagination, in technology, political economy, government, and social policy.

Of all the succession states which arose from the wreck of empires at the close of the World War, none has a more majestic setting for its destiny than Yugoslavia. Its territory stretches from the rich plains of the Banat on the borders of Hungary to the towering mountains of Dalmatia looking down on the blue Adriatic; from the snow-crested Alps of Slovenia to the rolling hills of Macedonia. Here are diversities of climate, soil, and configuration which stimulate diversity of economy and activity, which invite the exercise of all the complex faculties of human nature. Here are plains and mountains, rivers and gorges, low level savannas and high plateaus, arid areas and swamps, coast lines and land-locked frontiers.

In area the Kingdom of the Serbs, Croats, and Slovenes embraces 96,134 square miles—about 4,000 square miles less than Italy without Sicily and Sardinia. It is larger than England, Wales, Scotland, the Isle of Man, and the Channel Islands combined. It outstrips Czechoslovakia by more than 40,000 square

miles. It is larger than all New England with New Jersey, Delaware, and Maryland added for good measure.

Of this area less than one-half, to be exact 45.4 per cent, is under cultivation; 30.6 per cent is in forests; and 24 per cent is classified as unused. Undoubtedly the cultivated area could be materially increased, especially by the drainage of swamps, the dredging of rivers, and the construction of irrigation works. In the absence of scientific surveys nothing like an exact statement is possible, but there are estimates indicating that the percentage of area cultivated could be raised to 62.6 per cent.

Broadly speaking, the climate of this area is favorable to diversified agriculture. In the northeast the winters are cold, the summers warm, and the rainfall abundant. In the southwest, especially along the Adriatic seaboard, Mediterranean climate with semi-aridity prevails. In the northwest the winters are cold, the summers mild, and the rainfall adequate. In the central regions there is an equitable climate favorable to grain, fruit, and stock raising. In Macedonia, where the rainfall is slight, the seasons are genial. If the productivity of Yugoslav agriculture as a whole and of selected comparable areas in particular is smaller than that of many other European countries, the fact is to be attributed more to human management than to the unfavorable climate or soil.

In response to the invitation of nature the people of Yugoslavia have widely diversified their agriculture. They are not dependent upon a single crop, or even two or three crops. They raise wheat, maize,

oats, barley, rye, sugar beets, tobacco, and fruits in abundance. They produce medium grade cotton. Although for historical reasons their pigs are more famous than their horses, as a matter of fact they raise all varieties of live stock, and no handicaps of climate and soil put insurmountable barriers in the way of an indefinite extension.

Unlike their Italian neighbors, the Yugoslavs are richly endowed in natural resources. They have at their disposal, and partly exploited, large deposits of coal (mainly brown and lignite), iron, asphalt, asbestos, copper, lead, manganese, quicksilver, rock salt, silver, and zinc. Until a mineralogic survey has been made, exact estimates are impossible, but of the importance of these deposits there can be no doubt. Numerous forest areas covering nearly one-third of the entire country afford timber for industry and household uses as well as for export. Numerous navigable rivers with branches, which could be readily extended by drainage and dredging, afford ways for commerce and water for irrigation. These rivers offer, moreover, splendid opportunities for industrial and hydro-electrical development; reckoned in horse power, the available resources are not much below those of France and they could undoubtedly be greatly increased in connection with a rational system of drainage and irrigation.

Without burdening this record with additional details, we may conclude by saying that Yugoslavia is well endowed by nature with the resources for a rich and widely diversified rural and urban civilization. Beyond question, the people of that country have at hand an abundance of materials for the development

of economic power—and economic power is unquestionably a factor of moment in national survival.

With the same brevity of outline may be sketched the system of productive economy prevailing in Yugoslavia when the new national government was launched in 1918. It is true that, as in the case of natural resources, precision is impossible on account of the inadequacy of our statistical records, but the essential features may be presented with reasonable assurance.

Certainly, the overwhelming majority of the people in the territory now belonging to the Kingdom of the Serbs, Croats, and Slovenes were engaged in agriculture. It is safe to say that between 80 and 90 per cent of the entire population lived in towns having less than 10,000 inhabitants and were employed on the land or in related industries. Moreover, the striking feature of this agricultural economy was the cultivation of small holdings, although under widely varying conditions of tenure.

In Serbia a system of peasant proprietorship prevailed. According to the latest official figures, namely, those of 1897, more than 80 per cent of the farms were below 10 hectares (2.47 acres per hectare) in area. However, this general figure does not give a fair picture of the situation. In fact 27.6 per cent of the farms were between 5 and 10 hectares; 33.6 per cent were between 2 and 5 hectares; and 21 per cent were below 2 hectares. Broadly speaking, Serbian tenure was freehold, and yet it would be a mistake, as we shall see, to read into that word the meaning which it has in the United States.

With respect to Croatia and Slavonia, in the year

1895, 71.5 per cent of the holdings were below 5.75 hectares and 44.2 per cent were below 2.87 hectares. To the westward, in Slovenia, about seven-tenths of the holdings were below 10 hectares.

Although the tendency to individualism in tenure was marked, a large number of these farms belonged to *Zadrugas,* or household communities, composed of persons related by blood and marriage. This was true not only of Serbia and Croatia but also to some extent of Bosnia and Herzegovina. At the opening of the twentieth century, to be exact in 1905, there were 437,000 *Zadrugas* in Serbia. Of this number about two-thirds had six or more members—1,895,000 persons to be precise. In Croatia and Slavonia in the year 1895, one-fifth of the superficial area was tilled by *Zadrugas,* and the number was then on the increase rather than on the decline.

Beside taking note of the *Zadruga* system, we should remember that throughout a large part of Yugoslavia, especially Bosnia, Herzegovina, Dalmatia, and South Serbia, there prevailed a system of serfdom or semi-serfdom, and that in Voivodina, Croatia, and Slavonia landlordism of feudal origins survived. Indeed, Voivodina has been called by Professor Bilimovitch "the classical land of great landlordism." In Croatia and Slavonia, over one-fifth of the area was embraced by estates having more than 575.5 hectares each.

Such, broadly speaking, were the agricultural realities in statistical measurement with which statesmen in Yugoslavia had to deal in launching their new nation. And as we shall see, there were in this relation

psychological realities, more elusive but not less exigent: millions of those who labored upon the land were determined to secure holdings of their own, or to increase their holdings, or to emancipate themselves from serfdom and landlordism.

The overwhelming majority of the men were either small landowners or laborers who looked to the government for aid in solving the problems of land reform. Not so numerous, but possessing a power altogether out of proportion to their numbers, were the great landlords, particularly of Voivodina, Croatia, and Slavonia, bent upon keeping what they possessed, or at least as much as possible, against the swelling demands of peasants and laborers.

As already indicated less than 20 per cent of the people in 1918 were engaged in manufacturing, mining, lumbering, communications, and business, that is, in occupations not directly connected with agriculture. According to the figures for 1921 the percentage of the population employed in what may be called, for want of a better name, capitalistic undertakings, was 14 in South Serbia, Montenegro, Bosnia, and Herzegovina; 16 in North Serbia; 17 in Dalmatia; 18 in Croatia and Slavonia; and 35 in Slovenia. Thus it appears that Slovenia was the most highly industrialized section, but even there nearly two-thirds of the people were employed in agriculture. According to figures by no means satisfactory, there were fewer than 500,000 industrial workers in Yugoslavia in 1918; at all events in 1926 a conservative estimate placed the number at 490,000.

This does not complete the picture. In general the

factories were small; according to recent figures only twenty-two employ more than one thousand workers. At least four-fifths of the establishments are classified as petty industries with handicraft characteristics. Though on the decline, household industries are still extensive, and the line separating household, handicraft, and agricultural industries, on the one hand, from machine industries, on the other, has never been sharply drawn.

At the beginning of its career, therefore, the government of Yugoslavia did not have to deal with the problems of a huge urban proletariat. Only in a few cities, especially in the north, was labor strongly organized on trade union principles and permeated by the socialistic ideas so commonly found in the older industrial states of Europe.

Naturally, of course, the number of rich business men and capitalists was small. The major portion of them were in the former Austro-Hungarian provinces. Sectional and historic traditions, therefore, made it difficult for them to unite throughout the Kingdom; and their natural resistance to the heavy taxes made necessary by the launching of the new government had a tendency to throw them into the opposition instead of rallying them to the new establishment.

In short, Yugoslavia in 1918 had not reached the stage of great capitalism, but was in a state of somewhat primitive handicrafts and agriculture. While exact figures are not at hand, the total annual wealth produced by industry, including household undertakings, was certainly far below that yielded by agriculture and cattle raising. Yet a drift toward the cities was

already in process, and it was accelerated by the formation of the union.

Equally real as a fundamental economic factor was the national debt which the Yugoslav government had to face at the beginning of its career. The amount of that debt at the close of the World War could not be exactly determined on account of the floating and uncertain obligations. According to the estimate of Professor Bilimovitch, the consolidated debt on June 30, 1925, reckoned according to the rate of exchange at the time, amounted to 24,938,900,000 dinars or $436,430,750.

In connection with this debt the government confronted enormous difficulties. The pre-war obligations and the currencies of Serbia and the sections which previously belonged to the Austro-Hungarian monarchy had to be adjusted and consolidated. The war debts, including those due to various associated and allied powers, called for valuation and settlement. Besides dealing with these technical questions, the government had to raise revenues sufficient to meet the requirements of the debt service.

How heavily that service would bear upon the taxpayer could not be discovered because there were no reliable figures for calculating the income of the people of Yugoslavia. One reckoning placed it from 500 to 570 gold dinars per inhabitant; another reckoning placed it at 590 gold dinars, leaving out of account personal service of a non-economic character. But all of these estimates, even the most careful, were, according to the judgment of Professor Bilimovitch, arbitrary and without solid foundation. Still it could be said with

safety that the burden imposed on the people in meeting the charges of the consolidated debt would be staggering in its weight, exceeding anything which the peoples of the Kingdom had ever borne in days previous to the union.

This does not complete the economic realities which the government of Yugoslavia had to face on its inauguration after the World War. It found itself in possession of 43.2 per cent of the forest area of the country and compelled to deal with the complicated politics and economics of exploitation. It was in possession of the railways—badly damaged in Serbia and Macedonia—and forced to solve baffling problems pertaining to rates, services, and extensions in relation to various sections and conflicting interests. The Constitution of the Kingdom declared that "minerals . . . are the property of the state," and although in practice this provision amounted to an empty gesture, the exploitation of minerals was, to a certain extent at least, subjected to governmental control, calling for a definition of policies and the establishment of efficient administration. Numerous water-power sites were in the ownership of the government and could not be developed until surveys and scientific methods of management could be worked out. Manufacturing was handicapped by lack of capital and by the small size of the plants, so that it was not able to meet the competition of Italian, Austrian, and German neighbors, except behind a high protective tariff that interfered with the actual commodity requirements of the country. Not even the importance of the sea power could be overlooked, for the northern portions of

Yugoslavia owed no small part of their prosperity to outlets on the Adriatic and the commerce borne upon the waters of that inland sea. Hence there was inevitable pressure for state assistance in protecting and developing a merchant marine, if only for coastwise traffic. More exigent than all of these things, if not more important, was the economic necessity of agrarian reform: the revolutionary temper of the peasants and land toilers compelled the government to face the perplexing issues involved in dissolving great estates, abolishing servitude, and settling a million or more people upon the land. To cap the climax, a large part of the country, especially Serbia and South Serbia, was suffering from the devastations of the World War. In those sections railroad and highway bridges had been destroyed, great areas of farming land laid waste, towns and villages shattered and torn.

Such, in bold outlines, was the economic framework in which the statesmen of Yugoslavia had to begin their historic mission in 1918. Besides their domestic questions they faced an entanglement of foreign affairs as complicated as any nation ever confronted at the outset of its career.[1] Whatever dreams or theories they may have entertained with reference to an ideal state, the inexorable work in hand, which could not be evaded, was enough to tax to the limit their ingenuity and their talents for management.

[1] Below, Chap. XIV.

CHAPTER II

THE POLITICAL HERITAGE

Less easy to describe than economic factors, more elusive in its influences, but no less real, is the heritage of political experiences, practices, and ideas prevailing in a nation at any given time. It not only enters into the training of the statesmen who manage the nation's affairs but it forms a social complex with which they must constantly reckon in forming and executing policies. Though subject to modifications by new circumstances—internal and external changes—and mutable in the hands of the forceful statesman, it is almost as substantial as the economic realties described in the first chapter. Therefore, it is necessary to preface any appraisal of government and politics in Yugoslavia by an account of the political heritage in each of the sections welded into the Kingdom of the Serbs, Croats, and Slovenes at the close of the World War.

Such an account naturally begins with Serbia which had enjoyed the longest experience in self-government. For about four hundred years the Serbs were under the absolute rule of the Turkish Sultan. Whether that rule was exercised effectively by the Sultan directly or usurped by his local agents, in times of weakness at the center, made little difference to the inhabitants of Serbia. In the process of the Turkish conquest

native feudal lords were destroyed and Turkish lords substituted. For practical purposes all rights of self-government disappeared. Families, villages, and communities continued to exist, no doubt, but in all matters relating to taxation, legislation, and administration, the Serbs had no voice.

During the struggle for independence which lasted from 1804 to 1817, and during the period of autonomy under Turkish suzerainty from 1817 to 1879, Serbia was in fact governed first by one princely dynasty and then another. From time to time, it is true, constitutions and fundamental laws were issued, either under the authority of the Sultan or on the motion of the prince, bending before popular agitation. At irregular intervals a national assembly composed of representatives informally chosen under limited suffrage was convoked; but it could not be said that during this long period there was anything approaching a systematic development of popular government. Neither the constitutions ordained nor the assemblies convened exercised consistently a political restraint on the power of the prince.[1]

Although representative government had only a precarious and casual existence during the period under consideration, the prince always had to reckon with a popular party more or less active and likely to break out in open revolt at any moment. The ideas of the first French Revolution percolated into Serbia even

[1] Among the various "constitutions" which appeared in this period may be reckoned the Sultan's Hatti-sherif of 1830, the constitution of 1838 accepted by Prince Milosh, the constitution of 1859 issued by Prince Michael, and the constitution of 1869 established by the regency then in power.

under the Turkish régime, and at each successive upheaval in Western Europe, particularly in 1830 and 1848, there were reverberations of the disturbance far away on the Danube. In the early seventies a definite liberal and radical movement appeared, inspired largely by young Serbs who had studied in Russia and Switzerland and brought to a focus by the activities of a young journalist, Svetozar Markovitch. This movement culminated in 1877 in the launching of the Radical party, which established a regular parliamentary organization four years later. Although, as we shall see, the new party was at first mainly interested in a kind of agrarian socialism, in practice it demanded a democratic constitution and self-government for the people.

Before many years passed the agitation became so strong that King Milan, beset by a small oligarchy of politicians and military men, sought to strengthen himself in 1889 by granting a constitution based on liberal principles. Though later suspended and treated with contempt by the king, it continued to form a rallying point for popular agitation. And when at length in 1903 King Alexander was assassinated and Peter Karageorgevitch was called to the throne, the national assembly revised the document of 1889 and transformed it into the constitution of 1903 under which Serbia was governed until it was merged into the unified kingdom fifteen years later.

That constitution rested on a broadly democratic basis. It established parliamentary government by a cabinet collectively and individually responsible to the nation; it instituted a legislature composed of members

elected by popular vote; it conferred the suffrage upon all adult male citizens who paid an annual direct tax of 15 dinars, approximately $3. It made eligible to the parliament, with minor exceptions, all male citizens thirty years old, who paid an annual direct tax of 60 dinars.[2] Under this constitution the country was divided into provinces and districts; each subdivision was administered by an executive officer appointed by the central government, and it exercised a certain amount of local autonomy through the agency of an assembly elected by the voters. At the base of the system was a township or commune [3] with a local assembly and minor officials.

It can be said, therefore, that from the early days of its autonomy, Serbia had a popular party imbued with liberalism; that this party through many vicissitudes grew steadily in strength; that from time to time, especially after the establishment of the constitution of 1889, a large body of voters enjoyed the opportunity to function legally through parliamentary organs; and that after 1903 these voters, in various political divisions, operated representative institutions and governed the country. When after the World War the time came to form the new government, Serbia could supply a great number of politicians and administrative officials of all grades who knew what it meant to carry on political campaigns, hold elections, form cabinets, legislate, execute laws, raise and direct armies, administer finances, and manage local affairs—all on their own authority and responsibility. Moreover, a

[2] For lawyers and university graduates the tax was 30 dinars.
[3] See below for definition, Chapter XIII.

large proportion of the adult male citizens were accustomed to exercising the franchise, to participating in elections, and to sharing in the processes of self-government, local and central.

How different was the political heritage of Croatia-Slavonia! Although it had ancient traditions of constitutional autonomy as an independent kingdom and as a state affiliated with the Hapsburg monarchy, it was governed in 1914 under the fundamental law of 1867 which placed it under Hungarian domination. At that time it was administered by a *ban* selected in fact by the Hungarian premier and subject to orders from Budapest. Indeed the entire administration of the province, central and local, was in the hands of this viceroy, who did not have to render any accounting to the people of Croatia-Slavonia.

He did, it is true, govern with the advice and assistance of the Croatian assembly or diet. This legislature, composed of a single chamber, consisted in part—never more than one-half—of nobles, high ecclesiastics, and officials, and in part of representatives chosen in rural and urban constituencies under a system of limited suffrage, which conferred the vote on members of certain professions and taxpayers. Although there were more than 2,500,000 inhabitants in the province, only about 49,000 voters took part in the election of 1908. Two years later, as a result of popular agitation, the qualifications on the suffrage were lowered, increasing the number of electors approximately to 190,000. And in 1918, manhood suffrage was proclaimed. But this extension of the suffrage came too late to give political experience to the enlarged electorate.

The governing class in Croatia-Slavonia was made up of Hungarians and Germans and certain Serbo-Croats who attached themselves to the ruling party. Among the masses, the majority was composed of discontented and disfranchised peasants without political rights and political experience—most of whom could not read or write. In fact practically the whole Serbo-Croat population was in constant friction with the government directed from Budapest. Even in the diet, restricted as it was almost entirely to members of the upper class, there was an active Serbo-Croat opposition, in spite of official control over elections; and this opposition was continually occupied in attacking and attempting to block the operations of the administration. Among the people at large, political discussions took on a critical tone, sometimes verging in the direction of a revolution against Hungarian dominion. Among the Serbo-Croats of the upper classes willing to coöperate with the Hungarian government were high ecclesiastics, landlords, and rich peasants, who had little in common with the agitators engaged in promoting Yugoslav unity, and far less sympathy with the radical peasant democracy that dominated Serbia. Hence it may be said that only a minority of the Serbo-Croats in Croatia-Slavonia were acquainted at first hand with the methods and responsibilities of self-government or accustomed to formulating and carrying out constructive plans. Few among the ruling party were likely to display any interest in levelling democracy in any form.

In Voivodina, composed of sections once belonging to Hungary proper, the state of affairs, as far as the

Serbs were concerned, was about the same as that prevailing in Croatia-Slavonia. They took part in elections to the Hungarian parliament under a limited suffrage. The counties were governed by Hungarian officials and the cities operated under the scrutiny of authorities at Budapest. Everywhere in local government the spirit of the Hungarian landed aristocracy was supreme. A great body of disfranchised and discontented peasants could do little more than grumble and pay taxes. The more prosperous Serbs in town and country could vote in local and general elections and were often appointed to minor positions, but nowhere were they dominant in politics. If the Germans and Hungarians in Voivodina, who together made up a large part of the population, were fairly content with the old order of things, the Serbs, so far as they were politically active, were generally engaged in opposition and agitation. At all events, their political experience had given them slight preparation for assuming the great responsibilities which fell upon the Yugoslav nation when it started its career of independence.

Slovenia stood on a somewhat different footing. Made up of certain provinces and sections of Austria, its people shared in the more liberal political life of that country. Under a system of limited class suffrage, they participated in elections to the Austrian parliament—indirectly between 1867 and 1893 and directly between 1893 and 1907; finally after 1907 they enjoyed the benefits of manhood suffrage. But as a minority the Slovene members of the Austrian parliament were generally in the opposition at Vienna. They developed

politicians very clever in argument, agitation, and criticism, but in practice their representatives seldom, if ever, attained a high post of constructive responsibility in the Austrian government.

With respect to their local institutions, the Slovenes were more fortunate. Those qualified to vote shared in the provincial governments by electing representatives to the diets. They likewise participated in communal and municipal elections. Thus the leaders among the Slovenes, though usually in opposition at Vienna, enjoyed positions of responsibility in local matters. Indeed, as a fruit of their agitation for race autonomy, they had been able to widen steadily their control over communal finance, schools, roads, and other affairs. As most of the peasants were freeholders, not tenants, and as there were few great landlords in Slovenia, the spirit and practice of democracy were widespread. Hence it followed that Slovenia had a number of politicians skillful in debate and management. If their work in the opposition at Vienna made them critical rather than constructive, their experience in local government gave them the insight and understanding which go with responsibility. Moreover, the mass of the adult male citizens in that region was, to some extent at least, prepared by the exercise of the franchise and by education to share in the new political experiment launched with the establishment of the Yugoslav union.[4]

Although, like Slovenia, Bosnia and Herzegovina

[4] Dalmatia occupied an analogous position. It was a crown land of Austria, and sent members to the Austrian parliament at Vienna. It also had a provincial diet. The political experience of the people in that province was therefore akin to that of the people in Slovenia, although they were by no means so prosperous or well educated.

formed a part of the Austro-Hungarian complex, they had a very peculiar political heritage. For nearly 400 years they were under the absolute rule of the Turkish Sultan. The transfer of the provinces to the Austro-Hungarian government in 1878, as protectorates, introduced order and promoted commercial prosperity but it did not abolish the servitude under which a great mass of the population labored, nor did it result in the rapid development of institutions for self-government. When at last, 30 years later, Bosnia and Herzegovina were formally annexed and incorporated into the Dual Monarchy, a gesture was made in the popular direction; in 1910, a constitution was granted to the provinces but it was far from democratic in conception and form.

The diet established under this constitution was a curious combination of religious, economic, and popular interests. First of all, twenty of its ninety-two members were *ex officio*: (a) sixteen high ecclesiastics from the four religious groups recognized by law, Moslems, Catholics, Orthodox, and Jews, and (b) four laymen—the mayor of Sarajevo, and the presidents of the court of appeals, of the bar association, and of the chamber of commerce. In the second place, the remaining members, seventy-two in all, were elected in three separate groups by three distinct electoral colleges: (a) eighteen deputies elected by the upper classes (including five Moslems chosen by Moslem landlords paying 140 crowns a year or more in direct land taxes) and thirteen persons (one Moslem, four Catholics, and eight Orthodox) chosen by men paying 500 crowns a year in direct taxes and men possessing

certain high educational qualifications; (b) twenty deputies (nine Moslems, five Catholics, five Orthodox, and one Jew) elected in the cities by universal manhood suffrage, counting all men above twenty-four years of age not suffering from any legal incapacities; (c) thirty-four deputies (nine Moslems, seven Catholics, and eighteen Orthodox) elected in the rural communes by universal manhood suffrage. The bureau of the diet—a president and two vice-presidents representing the three dominant religious bodies—was named by the Emperor; the diet was to be convoked by the Emperor, as a rule once a year. It could not initiate bills, and projects of law voted by it could go into effect only when approved by the governor of Bosnia and Herzegovina and the Austro-Hungarian ministry for the administration of the provinces.

In May, 1910, the first elections for the diet were held and passed off quietly, with a considerable freedom of discussion, and the inaugural session was opened in the following month without incident, except for an attempt of a discontented anarchist to assassinate the head of the provincial government. But before the lapse of many days the assembly passed a resolution declaring that the constitution did not afford a wide enough base for important legislation; it protested against the pressure exerted by Austria-Hungary on the government of the provinces, and against their economic dependence on the Dual Monarchy. If, as was said at the time, the constitution corresponded to the political maturity of the people and recognized historic rights, it must be admitted that the diet elected under it according to the system of restricted voting

could not work harmoniously with the government which had imposed it.[1] Strict laws against freedom of press and speech hampered political discussion. The newspapers were even liable to prosecution for printing speeches made in the diet.

The general administration of the two provinces was strictly centralized under the Austro-Hungarian government and conducted in the name of the Emperor. It was headed by a governor and carried on through central bureaus established in Sarajevo, each in charge of an imperial appointee. Equally centralized was the local administration. The districts and subdistricts into which the provinces were divided were governed by imperial officials who looked to the governor for authority and support. Although the larger towns had councils composed in part of members elected by qualified voters, the mayors and deputy mayors and a part of the councillors were appointed by the central government.

With respect to politics, therefore, the experience of the people in Bosnia and Herzegovina was practically negligent. The parliament with its class system and limited suffrage had been in existence only four years when the World War broke out and military authority was substituted for it. It had, as we have seen, only powers of consultation and was without autonomous responsibility. The mass of the people had no effective control over it. Most of them could not read or write and about one-fourth of them were serfs. With respect to administration their experience was likewise limited; although on account of the

[1] *La Vie Politique dans les Deux Mondes*, pp. 177-185.

language difficulties, the Austro-Hungarian government employed a large number of Serbo-Croats in the civil service, it gave them little power and held them in a tight rein.

In a word, the people of Bosnia and Herzegovina really had no preparation for the exercise of manhood suffrage established on the formation of Yugoslav unity; nor did there exist in these provinces enough trained administrators to carry on the work of self-government. To expect impoverished peasants and newly emancipated serfs to coöperate efficiently in a democratic régime was to expect the impossible. In the circumstances the direction of politics and administration in Bosnia and Herzegovina fell mainly into the hands of the Moslem landlords (mainly Slavs) who, in spite of the emancipation of their serfs and the division of the estates, retained their dominant position in provincial life.

In a similar position were the people of South Serbia or Macedonia. Like the Bosnians, they had been under the absolute rule of Turkey for about 400 years. Indeed, they were not as fortunate as their neighbors, for they were not emancipated from Constantinople until the Balkan War of 1912. During the two years which elapsed between that date and the outbreak of the World War, there was no chance to develop self-government. The countryside was impoverished by banditry and warfare. The towns, far from being lively commercial centers, were merely sleepy villages in which Turkish landlords lived on the income from their feudal estates. Political life, if such it may be called, was limited mainly to agitations over

autonomy. Whole districts had been devastated by war; the thin population of the mountainous and broken country had been decimated; families had been broken up; and peasants had fled from their holdings. Subjected for centuries to Turkish administration, deprived of educational facilities, exploited by Moslem landlords, the people of Macedonia, even those in sympathy with the government at Belgrade, came into the Yugoslav union with little or no political and administrative equipment.

Although, like the Serbs, the people of Montenegro were continually at war with the Turks and were often overcome in battles, they were never absorbed completely into the Turkish empire. If occasionally they were compelled to pay tribute to the Sultan, they always maintained a tradition of freedom and, in their mountain fastnesses, some fragments of independence. But popular self-government under the House of Petrovitch, established in 1697, was a practice of late development. An elective senate was created in 1831 and a constitution was granted in 1868, but in fact the power of government was concentrated in the prince until 1906, when a constitutional monarchy was formally inaugurated with the meeting of the first Montenegrin parliament at Cettigne. The parliament then opened consisted of two classes of members, an *ex officio* minority designated by the prince (who took the title of king in 1910) and a majority chosen by popular vote. For the parliamentary elections a system of direct manhood suffrage without property qualifications was established. The constitution also set up a ministry responsible to the crown and the

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legislature, and guaranteed liberty of press, speech, religion, and public meetings. Besides having a voice in their central government, the voters of Montenegro shared in the administration of the cities and villages.

It could, therefore, be said that the people of Montenegro had enjoyed some political experience, but it could hardly be contended that during the brief life of the national legislature, extending from 1906 to 1914, they had mastered the art of parliamentary government. And even if they had been skilled in this particular art, their weight in the affairs of Yugoslavia would, nevertheless, have been inconsiderable, because all told, they numbered less than 200,000 in a kingdom of more than twelve millions.

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Besides bringing with them a heritage of illiteracy and inexperience in self-government, the masses of Yugoslavia on the day of unification were utterly without preparation for coöperation on a national scale. Unlike the American Revolutionists of 1776, they were not welded into a common patriotism by a common war for independence; on the contrary they had been divided against one another in the World War; in many sections of Serbia the Austrian troops of occupation had been commanded by Croats. Furthermore the Yugoslavs had no common heritage of law, religion, and great literature, even though they spoke one tongue, with variations. Whatever may have been the forms of South Slav unity in distant days, no institutional vestiges of it remained in 1918.

One part of the Yugoslavs was Greek Orthodox in

religion, used the Cyrillic alphabet, and turned eastward for inspiration. Another part was Roman Catholic, used the Roman alphabet, and faced the west. Still another part was Moslem in religion, looked to Mohammed not to Christ for guidance, and belonged in habit and thought to the Oriental world. It is true that most of the third group were Slav in blood, but centuries of obedience to the Moslem code had dug an abyss between them and the Christians of their own race. If the Moslems no longer made holy war on the Christians, they insisted on keeping their own religious laws and confidently looked forward to the day of Moslem triumph throughout the world. If Catholics and Orthodox called themselves Christian, they were nevertheless separated by an ancient and bitter antagonism which could only be bridged by great tolerance and forbearance.

Moreover, with respect to the two branches of Christianity, it should be noted that the antagonism of creed was accentuated by differences of organization and intellectual climate. The Catholic branch was subjected in matters ecclesiastical to the supremacy of the Pope (who lives in Rome and belongs to the Italian nationality); with the clergy rigidly organized and thoroughly disciplined, the Catholic Church maintained a firmer grip on politics and intellectual life in the sections in which it was predominant; in Slovenia the clerical party had the upper hand. Devout, educated in Catholic schools, if at all, sheltered by the clergy from skepticism, the Croats and Slovenes were characterized by all those spiritual and intellectual qualities which are supposed by Catholics to be the

glories of their religion. On the other hand, the Greek Orthodox Church, having no pope to rule it autocratically and infallibly, was rather loosely organized and, as a result, was more troubled by differences of opinion; hence it possessed less power in politics and secular affairs. Moreover, the governing class of Serbia, educated for the most part in France, added to the looser tolerance of Greek orthodoxy the genial skepticism of the Parisian indifferentist. For this reason the pious feel quite at home in Zagreb; while tolerant skeptics may prefer the milder atmosphere of Belgrade, even though the streets of the latter city are not so well paved. If life in Paris made the Serb liberal enough in matters religious to coöperate freely with Moslem and Catholic, it also made him *persona non grata* to the stout clerical of Croatia. Though by no means wholly acceptable to the Catholic clergy of his province, Stephen Raditch, a bitter opponent of union with Serbia, distrusted and disliked, as much as any Catholic, Nicholas Pashitch, on account of the latter's alleged refusal to acknowledge belief in God, except incidentally and with reservations.

Economic, no less than religious, lines cut across the hypothetical unity of race. The most highly industrialized sections were in Croatia and Slovenia, to the northwest; these regions looked to Vienna and Budapest for capital to develop their enterprises; they were more European than Balkan; they faced the Adriatic, not the Aegean; the daily turn-over on the stock market of Zagreb in 1921 was many times that of Belgrade. On the other hand, Serbia, Bosnia, Herzegovina, Montenegro, and Macedonia were almost purely agricul-

tural. They had no manufacturing centers of any significance. Belgrade was an overgrown country town with about ninety thousand inhabitants in 1911—fewer in 1918 owing to the devastations of the war. Serbia turned to the Entente powers for capital; looked to the Aegean Sea rather than the Adriatic as her natural outlet, and feared an assimilation to the Teutonic capitalism of the northwest.

Strictly speaking, therefore, little more than ties of race and language bound the Yugoslavs together, and it must be confessed that, like many other families, they were often torn by inner quarrels before the day of unification. Even the Serbs and Croats in Croatia did not always live happily together before the hour of liberty struck. The former, numbering more than one-fourth the population of this province in 1900, were the descendants of people who had fled to that section before the Turks; they were Orthodox in religion, enterprising in business, and given to opportunism in dealing with the Hungarian government. Many and long were the disputes between Serb and Croat.

For example, in 1902, a Serb newspaper in Zagreb violently assailed the Croats, warned them that the Serbs were more numerous and powerful, and declared that "it was necessary to destroy all that remains of that miserable race." The result was a riot which got away from the Hungarian police. Croat mobs broke into the houses of Serb residents, smashed Serb shops, and surged through the streets looking for victims. It was just such incidents which led the keen observer, Raymond Récouly, to the conclusion and doubtful prophecy: "More and more obvious appear the illu-

sion and chimera of those who hope to unite all the Slavs of the south: Croatia, Bosnia, Serbia, Montenegro, and Bulgaria. That is perhaps a beautiful dream, but it is only the dream of literary artists and poets. As for the Croats and Serbs, religion and civilization, spirit and historical tradition turn the former toward the Occident and the latter toward the Orient. To wish to unite them is to wish to unite two contrary things, to reconcile Rome and Byzantium." [5] If the prophecy proves false, the statement illustrates the difficulties in the way of unity which lay deep in the political heritage of the Yugoslav people.

TABLE SHOWING SECTIONAL DISTRIBUTION OF POPULATION

The Census of January 31, 1921, places the total population of Yugoslavia at 12,017,323, divided among the sections as follows:

	Male	*Female*	*Total Population*
1. Serbia	2,007,331	2,122,307	4,129,638
2. Montenegro	99,622	100,235	199,857
3. Bosnia and Herzegovina	965,894	924,035	1,889,929
4. Dalmatia	322,534	327,605	650,139
5. Croatia	1,321,021	1,389,862	2,710,883
6. Slovenia	503,645	552,819	1,056,464
7. Voivodina	673,500	706,913	1,380,413
Total	5,893,547	6,123,776	12,017,323

TABLE OF RELIGIONS IN YUGOSLAVIA (1921)

Eastern Orthodox	5,602,227	(47 per cent)
Roman Catholic	4,735,154	(39 per cent)
Moslems	1,337,687	(11 per cent)
Greek Catholic	41,597	
Protestants	216,847	
Jews	64,159	
Various	17,636	
No religion	2,016	

For distribution among sections according to regions see *Near East Year Book*, 1927, p. 219.

[5] R. Récouly, *Le Pays Magyar* (1903), pp. 231-242.

CHAPTER III

FORMATION OF THE CONSTITUTION

The roots of the movement for national unity among the South Slavs lie deep in the past—in the propaganda of poets, theorists, and idealists. It is constantly asserted, and with good reason, that both Russia and Serbia secretly gave their support to this movement; if they did, they were merely aiding a process of nature. Whatever their support, it probably did not outweigh the steady influence exerted by the mere existence of independent Serbia on the Croats, Slovenes, and Serbs subjected to Austro-Hungarian dominion. The freehold peasant system of Serbia itself was a standing menace to the great landlordism so prevalent in the South Slav regions under the Hapsburgs; the terrible act which precipitated the World War was an incident in the process of unification. It cannot be forgotten that the Austrian Archduke was assassinated in the capital of a province where about one-fourth of the peasants were still serfs in the twentieth century and had long sought, in vain, relief at the hands of Austrian administrators.

If the Serb government did not lend secret aid to the movement for unification, it certainly did not conceal its official hopes after the World War broke out. In November, 1914, the Serbian parliament

authorized the ministry to continue the war against Austria-Hungary for the purpose of liberating the Serbs, Croats, and Slovenes under the Hapsburg monarchy. In July, 1915, the parliament again proclaimed the same resolve. Two years later, members of the Serbian cabinet joined other South Slav leaders in issuing the Declaration of Corfu which favored the unification of the Serbs, Croats, and Slovenes under an independent constitutional and democratic monarchy. To effect this unification, the declaration announced, a constituent assembly was to be elected on the principle of direct, equal, and secret ballot, and charged with the duty of forming the constitution of the new kingdom. Whether the Declaration of Corfu contemplated a federal or a centralized state is still a matter for debate,[1] but it certainly assumed that the form of government should be left to a constituent assembly elected by popular vote.

What proportion of the South Slavs under the Hapsburg monarchy agreed with the professions of Serbian statesmen as to the desirability of Slavic unity? No mathematical answer is possible. Naturally, while the war was raging, they were given no opportunity to express an opinion on the question of unity with their brethren in Serbia. Members of parliaments in Austria-Hungary, central and local, had to be careful in expressing their views. Exercising a great deal of circumspection, the Austrian government called no session of the general parliament between 1914 and 1917; but when at last it was forced to sum-

[1] The declaration was signed by Mr. Pashitch, the Serb centralist, and Mr. Trumbitch, the Dalmatian federalist.

mon the representatives, the Yugoslav Club, speaking through its deputy, Dr. Anton Koroshetz, declared at Vienna that all of the divisions of the monarchy inhabited by Slovenes, Croats, and Serbs should be united in an independent state organized on democratic principles, freed from the domination of alien authorities, and placed under the sceptre of the Hapsburg dynasty. During the course of the session held in March, 1917, all parties in the Croatian diet declared in favor of Yugoslav unity, but they by no means agreed on the form which that unity should take.[3] One wing insisted upon independence, while another was willing to make a compromise with Hungary.

In various ways, therefore, discontent was made manifest among the South Slavs under the Hapsburgs, but previous to the military collapse there was no revolutionary outbreak in favor of independence or in support of unity with Serbia. Indeed thousands of them fought bravely in the Austro-Hungarian armies, the Croats with zest on the Italian front, against the forces that were, consciously or not, making for Yugoslav unity. What they would have done if they had been given a chance to vote on unification in January, 1918, must always remain one of the mysteries of history.

After all, Serbia was small in area compared with the sections ruled from Vienna and Budapest, and there were undoubtedly many South Slavs in those sections

[3] The precarious nature of the movement for Yugoslav unity during the World War and negotiations preliminary to it are illuminated in an article by Dr. L. Silberstein, "Der Dreifrontenkampf des Jugoslavischen Nationalausschusses," *Europaische Gespraeche* for July, 1928.

who did not look with any satisfaction upon the transfer of power to the city of Belgrade. It was the defeat of the Central Powers on the battlefield, the significant advance of Italian armies on the Adriatic front, and the tardy but final declaration of the Allied and Associated Powers in favor of Yugoslav unity, which really decided the issue.

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When Austria collapsed in the autumn of 1918, irregular local assemblies sprang into open activity in Dalmatia, Croatia, Slovenia, and other Yugoslav territories formerly belonging to Austria-Hungary—many of them originating, probably, in the older secret societies that had carried on propaganda for decades. On the basis of these local assemblies, which remind us of the revolutionary committees that engineered the American war for independence, there was established at Zagreb in November, 1918, a revolutionary convention known as the National Majority. The delegates to this convention were not elected by popular vote in a formal manner, but were chosen by the political parties dominant in the local councils mentioned above. Every section was assigned a certain number on the principle of territoriality and population. The convention may be said, therefore, to have represented fairly the active political elements among the South Slavs formerly belonging to the Austro-Hungarian empire. To what extent it actually spoke for the masses of the people there is no way of determining. In revolutionary times it is not possible to resort to mathematical politics. At all events, the old Croatian

diet was so well satisfied with the representative character of the Zagreb National Majority that it declared itself extinguished, thus merging Croatia into the new revolutionary organization.

At best the position of the Zagreb National Majority was precarious. It inherited no common administrative organization. There were no central offices for foreign affairs, finance, police, and other functions of administration, which it could take over. It had no unified army or system of finance. It had no police agencies to cope with left-wing disorders. The Italian armies were advancing along the Adriatic coast and no one could tell how far they would go. Discontented peasants on great estates owned by Austrians and Hungarians in Croatia, Slavonia, and Voivodina and by Moslems in Bosnia and Herzegovina were displaying a revolutionary temper. Already they were sacking and burning castles.

In this situation, the National Majority at Zagreb had little time for philosophic deliberation respecting a form of government. As Mr. Svetozar Pribichevitch, a member of the convention, said on November 23, "unless we come to an agreement immediately, there will be disorders in the land." Indeed, disorders had already arrived. Amid such circumstances the Serbian government invited the National Majority to take part in organizing a common government by joint understanding. With reference to this proposition for unity, a long debate ensued, in which all the leading members, including Mr. Stephen Raditch, took an active part.

Finally, on November 24, 1928, at a plenary meet-

ing, the National Majority named a committee of twenty-eight "with full power" to negotiate with the Serbian government on the basis of the following principles. Within six months after the signature of peace a national constitutional convention representing the entire country is to assemble. This convention is to determine by a two-thirds vote "(1) the constitution, understanding herewith especially the form of government (monarchy or republic), the internal structure of the state, and the fundamental rights of citizens; (2) the state flag; (3) the seat of the government and the remainder of the supreme state authorities."

The instructions given to the committee of twenty-eight by the National Majority further provided that until the constitutional convention should meet, the legislative powers should be vested in a provisional parliament. They also stipulated that, until the constitutional convention completed its work, royal executive power should be exercised by the King of Serbia, that is, by the Crown Prince Alexander as Regent of the state of the Serbs, Croats, and Slovenes. In this relation, according to the instructions, the Regent was not to be held responsible to the provisional parliament; but he was to take an oath before it, and to name a provisional government in accordance with parliamentary practice—a government enjoying the confidence of the parliament.

For the transitional period, the National Majority declared in its instructions to the committee of twenty-eight, the government should be constituted by agreement among the various parties if possible, and if not, according to the decision of the provisional

parliament. As if it had in mind no idea of creating independent states, the National Majority declared: "At the head of [local] provisional governments will be governors, and in Zagreb at the head of the Croatian government will be a *ban* to be named by royal authority, that is to say, the regent on the recommendation of the provincial parliament."

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Bearing with them these instructions, which evidently contemplated leaving the form of government, "monarchy or republic," to the determination of a constitutional convention operating under a two-thirds rule, the committee of the Zagreb National Majority appeared before the Prince Regent in Belgrade on the evening of December 1, 1918, to inform him officially of the transaction. In his speech to the Prince, the chairman of the committee declared that "the conclusion of the National Majority is that the royal powers over the entire territory of the united state of the Serbs, Croats, and Slovenes shall be vested in his majesty, King Peter, that is to say, in your Royal Highness as Regent in his stead." Then followed a discourse on democracy and parliamentary government to be established. With considerable feeling the spokesman referred to the action of the Italians in the west, and asked the Regent to make sure that the people of their race on the Adriatic were not taken away but were kept in the union. At the conclusion of the address, there were long cheers for King Peter, the Regent, and the nation of the Serbs, Croats, and Slovenes.

After hearing the statement from the representatives of the Zagreb committee, the Regent proclaimed Serbia and the other sections joined in "the united kingdom of the Serbs, Croats, and Slovenes" and expressed his happiness that the wishes of his officers and men, who had been fighting for unity, were at last fulfilled. Not long afterward the executive committee sent a telegram to the National Majority in Zagreb declaring that its functions were at an end, and that from December 1, the nation formed a united state under the regency of the Crown Prince.

With reference to this transaction some nice points in political theory naturally arise: Was the united kingdom thus proclaimed a provisional kingdom? Were the instructions given to the committee of twenty-eight by the National Majority still binding? Could the various sections represented in the National Majority lawfully withdraw from the union in case the constitutional convention declined to adopt a rule to the effect that measures could only be carried by a two-thirds majority? In its negotiations with the Prince Regent and presumably the representatives of the Serbian government, did the Zagreb committee make reservations that were binding, in conscience if not in law, upon those who were to formulate the constitution of the new kingdom?

Undoubtedly the dilemma of the Zagreb committee was very serious. Only two alternatives lay before it: (1) The immediate creation of a constitution conforming to its desires and the proclamation of the law by the Prince Regent, or (2) the formation of a constitution by a national convention fairly elected. The

former idea was broached at Belgrade, but was rejected by the Serbs as contrary to the existing Serbian constitution and to the principles of popular government. The adoption of the second alternative meant that Serbia, Montenegro,[3] and Voivodina, with the addition of a small scattering vote, could command a majority in the convention and shape the constitution to conform to centralistic ideas. "What guarantees, if any?" said Zagreb, in effect. "None, except equal suffrage," replied Belgrade.

The truth is the Zagreb committee was compelled by circumstances beyond its control to make the best terms it could in Belgrade. The Zagreb government had tried to secure recognition from foreign countries as an independent state, but only Serbia had taken favorable action on its request. Hence, it never enjoyed the position of a sovereign power; Serbia's gesture was merely for the sake of expediency, not with a view to aiding in the creation of an independent government at the Croatian capital. The Zagreb authorities had also attempted to negotiate an agreement or compromise with Serbia at Geneva. In fact, on November 9, a document looking in this direction was drawn up, but it was rejected by Serbia and aroused some opposition in the Zagreb convention itself. Although for about two weeks thereafter, the relations of Belgrade and Zagreb were strained, there was never any doubt about the outcome in view of the Italian advance and the domestic unrest. It has been said, with reason, that if the Zagreb delegation was defeated in Belgrade

[3] Montenegro was united with Serbia by the action of a Montenegrin revolutionary assembly held in Podgoritza in November, 1918.

in December, 1918, it owed its discomfiture to the Italian army.

At all events on December 1 of that year the die was cast. The new kingdom was proclaimed. In due course a provisional government and a provisional parliament were made up by negotiation, each section and party being given a share of officers and representation. To the new parliament came surviving members of the old Serbian Skupshtina; to the other sections of the kingdom members of parliament were assigned on a proportional basis and distributed among the parties by political leaders according to the strength of the several factions in various revolutionary and provincial assemblies. The Croatian Peasant party, which was allowed two seats, refused to work with the new provisional parliament when it met on March 1, 1919.

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After many long and stormy sessions, in which little business was transacted, the provisional parliament finally passed on September 3, 1920, a law calling for the election of the constituent assembly. On November 28, 1920, the election was duly held. The total number of seats was fixed at 419. Representation was distributed among the various sections of the kingdom on the basis of one member for every 30,000 people with one additional delegate for a surplus of 17,000 or more. The members so distributed were elected in large districts on the principle of minority representation. All Yugoslav male citizens twenty-one years of age or more could vote, and all male citizens able to read or write and at least twenty-five years of age

were declared eligible to membership in the convention, with the further provision that at least one qualified candidate, such as a graduate of a university or technical school, should appear on each district list.

The election took place on November 28, 1920, and it seems to be generally agreed among the spokesmen of all parties that it was on the whole the fairest election held in Yugoslavia since the formation of the union. There was government pressure, no doubt, in some of the sections (especially Montenegro), but the election returns, which gave large representation to Communists, Land-toilers, the Croatian Peasant party, and all radical factions, indicate that, on the whole, the voters had an opportunity to give a free expression of opinion. Moreover, the fact that nearly 65 per cent (to be exact 64.95 per cent) of the qualified voters participated in the election shows that a wide popular interest was manifested in the question of the new constitution.

In the election, five parties with nationalist rather than separatist views won a large majority of the seats: Democrats, Radicals, Communists, Socialists, and Land-toilers.[4] The first of these parties had candidates in every one of the fifty-five districts; the second, the Radicals, had candidates in all except eight districts; the Communists entered the lists in every district except one; the Land-toilers, though by no means so widely distributed in strength, made contests in more than half the districts and could scarcely be

[4] To these also should be added some of the handful of Republicans elected to the convention.

called sectional in character. The combined popular vote of these five nationalistic parties was as follows:

	Votes	*Delegates Elected*
Democrats	319,448	92
Radicals	284,575	91
Communists	198,736	58
Land-toilers	151,603	39
Social Democrats	46,792	10
Total	1,001,154	290

From these returns it is clear that an overwhelming majority of the voters in the new kingdom were not primarily concerned with maintaining sectional independence. These five parties differed seriously among themselves with respect to the form of the new government, but none of them was bent on the development of autonomist political rights at all costs—federalism at any price.

Over against the nationalistic forces were arrayed three important parties[5] primarily sectional in interest:

	Votes	*Delegates Elected*
Croatian Peasant party (Raditch)	230,590	50
Slovenian Populists (Koroshetz)	111,274	27
Yugoslav Moslems	110,895	24
Total	452,759	101

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The constitutional convention assembled on December 12, 1920; Nicholas Pashitch was elected temporary president. The following day a verification committee

[5] The remainder of the votes and delegates were widely scattered among minor parties, local and racial in composition.

was created, with membership distributed among the various parties roughly on the basis of their strength, but only three parties handed in their lists, namely, Radicals, Democrats, and Communists. After a few days' investigation the committee reported. Thereupon members were sworn in, a permanent president and other officials were elected, and the convention declared ready for operation. The first business consisted, however, of petitions and protests, such, for example, as the complaints of the Republicans against police interference with their meetings.

Not until January 25, 1921, was the provisional government's plan for a constitution duly submitted and read. This plan had been approved by the cabinet and represented the results of long negotiations and many compromises.

To deal with this draft and other plans, the convention created a constitutional committee composed of forty-two members organized on a broadly proportional basis. To expedite matters, it decided that the government's project should be considered first; then the suggestions of the committee were to be taken up and additional individual plans, if signed by twenty members, were to receive attention. After much discussion, a rule was adopted to the effect that a simple majority of the members present should be sufficient to carry a motion, thus repudiating the two-thirds provision suggested by the Zagreb National Majority as a condition of union.

From the first of February to April 22, the convention did little business; indeed, during a large part of this time it stood adjourned. When at last it got down to work at the end of April, the various plans

were discussed. On May 12 the vote was taken on the government project, and it was provisionally adopted by 227 to 93, the remainder of the delegates entitled to vote having abstained from the proceedings.

Thenceforward the debate on the government plan proceeded, taking up section by section. The arguments were long and prolix. Judging from the stenographic minutes, all members who cared to participate were given a full opportunity to present their views and advocate their doctrines. In no place, however, do the reported debates, which have been printed *in extenso,* reveal a thorough knowledge of any existing federal systems. There are occasional references no doubt to the United States, Switzerland and Germany, but a close examination of these references shows that the speakers had no firm grasp of the practical nature and operations of these three governments.

At last, on June 28, 1921, after each section of the government's plan had been considered, the final vote was taken on the proposed constitution, resulting in 223 delegates for and 35 against, with the remaining members, including the Croatian Peasant party, either deliberately abstaining or practically indifferent to the result. From these figures it is clear that the constitution had a majority of the total number of delegates elected to the convention.

It is no secret, however, that this majority was finally obtained by political negotiations. On all counts, the two nationalist parties—Democrats and Radicals, largely under Serbian leadership—commanded 183 votes to which were added a few scattering votes from other parties. But when the roll was called the number was found to be short of a majority.

A few recruits were needed, and consequently a compromise was reached with the Yugoslav Moslems who represented mainly the landlords of Bosnia and Herzegovina.

Thoroughly frightened by the peril of a peasant uprising and realizing fully that the long delayed land reform might be carried out according to the Russian program, the Yugoslav Moslems decided to save all they could from the sinking ship. Although autonomist in their sympathies, their economic necessities were great. Hence they were ready for negotiations with the government at Belgrade. That government, harassed by a constitutional convention which was unable, at the expiration of five months, to carry any plan, even by a simple majority vote, welcomed an opportunity to make a truce with the Jugoslav Moslems. In the end the two parties reached an agreement which provided that the state should compensate the Moslem landlords for their land on a fixed basis, part in cash and part in government bonds. On May 12, 1921, two decrees were published authorizing this compensation. It was on this fateful day that the government's plan for a constitution was tentatively approved by the convention and the way cleared for the final adoption of that plan, after "due deliberation," on June 28.[6]

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In preparation for the constitutional convention, the leading groups represented in it, as well as the government, drafted official plans for consideration. These

[6] Ivshitch, *Les Problèmes Agraires en Yougoslavie*, p. 245.

documents were not all included in the stenographic report of the convention's proceedings. Apparently each group had the privilege of spreading its program on the minutes if it so desired. At all events, the Communists' project for a constitution was included in full. Other plans were printed in pamphlet form and circulated among the delegates, while various drafts or schemes were published by the newspapers. No complete official collection of these documents is now available, but a few of them were assembled by Professor Slobodan Yovanovitch and presented to the Law Library of the University of Belgrade. In view of the importance given to federalism and centralization in Yugoslav politics, some of these plans deserve examination in detail.

Let us consider first the project of Mr. Stojan Protitch, an admirer of the English system of government. This scheme represents a compromise between the two extremes. It provides for the creation of nine provinces corresponding roughly to the historical sections into which the Kingdom is divided. Each of these provinces is to have a large measure of local autonomy. It is to make its own laws subject to the supremacy of national law. In the province the national government is to be represented by a governor general with supervisory, not administrative, powers. Among other things, it is the duty of the governor general to see that local laws do not violate the constitution or national interests, subject to appeal to the supreme state council in matters of conflicts of law, and to the cabinet when questions of state interest arise. On the basis of this local autonomy, Protitch proposes to erect

a national government with large powers, constructed mainly on the English parliamentary model.

Secondly, there is the Croatian plan [1] which provides for six distinct provinces—Serbia and Macedonia; Croatia, Slavonia, Dalmatia, Istria, and Medjumurje; Montenegro; Bosnia and Herzegovina; Voivodina; and Slovenia. Each of these provinces is to have an independent government, and the constitution of the Kingdom can never be changed except with the unanimous consent of the parliaments of the provinces—recalling the provision of the Articles of Confederation in the United States which paralyzed national action by the rule of unanimity.

Resembling early American practice, the Croatian plan stipulates that the central government shall have only those powers expressly delegated, that all other powers shall be reserved to the local parliaments, and that in case of doubt, the benefit shall be given to the province, not to the central government.

Under this scheme, the central government is to have control over foreign affairs, the army, tariffs and commerce, money, posts and railways, indirect taxation, and the regulation of business and maritime commerce. To the current jurisdiction of the two governments is assigned legislation respecting the relations of state and church, public health, and navigable rivers. Such concurrent jurisdiction is to be exercised in the following manner: the central government can propose projects in this sphere and the provinces can adopt or reject at their pleasure.

All other matters, including civil and criminal law,

[1] Prepared by Croatian autonomists.

are reserved to the provinces. Moreover, specific restrictions are imposed upon the powers granted to the central government. Except with the approval of the local parliament: (1) administrative districts (*oblasti*) cannot be changed; (2) commercial agreements affecting a province cannot be made; and (3) the construction of railways and roads within a province cannot be authorized.

In the Croatian project the stamp of federalism is placed upon the central government. The monarchy is recognized and there is to be a parliament of two houses. In the upper chamber the provinces are to be represented as such by 53 delegates apportioned among them according to a fixed scheme, and 47 delegates representing functional organizations and institutions. The lower house is to be constituted on a general democratic basis.

Under this plan, the powers reserved to the province are to be exercised by a provincial parliament established under a local constitution. The governor of the province is to be appointed by the crown, and local laws enacted by the assembly are to be subject to the king's veto as in the case of national laws. Local legislation is to be countersigned by the governor but not by the minister of the interior. In other words, the governor is not to be an organ of the national ministry, but a representative of the crown, occupying a position akin to that of the governor in the British Commonwealth of Nations. The appointment of the governor is not to be countersigned by any national minister, and administrative officers under the governor are likewise to be chosen directly by the crown,

subject to no control by cabinet officers. Thus in every province the king not only reigns but governs.

To the execution as well as the making of laws the Croatian plan applies the federalist principle. Both national and local laws are to be enforced by the provinces; only in exceptional cases can the central government execute its laws through its own agencies. In the collection of customs duties and the administration of monopolies it must use provincial administrative agencies. There is to be no federal police system, the maintenance of order being a function of the province. In those cases in which the federal government is permitted to employ its own agencies, it is required to choose its officers in each province from among residents of that province. If local officers refuse to enforce federal laws, the federal authority cannot proceed directly against them. Without the consent of the province the general government cannot prescribe any penalties for activities directed against the federal constitution or the federal authorities.

For the purpose of deciding conflicts between the provinces and the federal government—constitutional and other questions—the Croatian plan provides for a constitutional court of twelve members, six to be appointed by the king and six by the lower house of the national parliament. The king can choose, however, only from among men nominated by the provinces. The lower house is restricted to a list of candidates submitted by the upper house which in turn gets a majority of its list from nominees made by the provincial legislatures.

The third plan, offered by autonomists from Slo-

venia, represents "federalism in politics and state socialism in economics." Like the Croatian plan, it divides the country into provinces, but with a slight difference in the distribution of territory, with a view to making three Catholic and three Orthodox states. The division of legislative powers between the federal and provincial governments is practically the same, except that provincial laws are to go to the federal government, not the king, for review.

According to the Slovenian scheme, the national parliament is to consist of two assemblies; one house is to be elected by popular vote on the principle of equal suffrage for men and women; the other house is to be a social-economic body elected by social groups, that is, trade and occupational organizations. This national parliament is to be supplemented by a scheme of national initiative and referendum. The powers assigned to this parliament are substantially the same as those named in the Croatian plan. Somewhat stricter control over the provinces is provided, however. Differences between the provincial and federal governments are to be settled by a federal court. Provincial authorities are made responsible to federal officers for the execution of federal laws, and the high provincial officials appointed by the provincial cabinet are to have the approval of the appropriate minister in the national government. The provincial premier is to be appointed by the king from among three candidates submitted by the provincial parliament.

Betraying perhaps the influence of the new German constitution, the Slovenian project declares that the

age of the military and police state is over and that the time has come for the social state. Some industries are to be placed in the hands of an economic council representing employees, employers, and consumers. In certain selected industries, the workers are to be empowered by legislation to take part in administration and to share in the profits. By legislation also, property may be turned over to the state, to private companies, or to self-governing bodies.

Although not presented formally, a fourth plan [6] drafted by Dr. Smodlaka was widely circulated and discussed. This scheme divides the country into twelve provinces, dismembering even Croatia and Serbia. Each province is to have a local legislature of limited authority and enumerated powers, while to the federal government are to be assigned all residuary powers including the police. The provincial governor is to be appointed by the king on the nomination of the federal government. Certain specific taxes are to be assigned to the provinces, but their expenditures are to be supervised by federal authorities through budgetary control. Conflicts between provincial and national governments are to be decided by the state council, a national agency. Federalism is to be carried into the national parliament; the upper house is to consist of two groups of delegates—one elected by the provincial legislatures and the other by trade and occupational organizations. The lower house is to be chosen indirectly by popular vote.

[6] This plan represented the ideas of Croatians on the Adriatic Coast.

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A comparison of these and other plans, which cannot be discussed here in detail, throws a strong light on the difficulties in the way of agreement on any kind of federal system in the Yugoslav constitutional convention of 1920-21. With respect to the powers assigned to the crown there were grave differences of opinion. The Republicans in the convention, whether federalist or centralist in their views, believed that the dynasty was an obstacle to union and likely to culminate in a military dictatorship and a military régime. In any case, they could hardly be expected to agree to any one of the federalist schemes conferring immense powers upon the king, to be exercised independent of the national cabinet. Nor were the Serbian royalists willing to make concessions in this direction. Having long enjoyed a parliamentary system of government, they would not approve any project, such as the Croatian and Slovenian plans, which enlarged the authority of the king in Serbia as a member of the federal union.

On the subject of the constitution of the proposed parliament there was likewise a marked divergence of opinion. The Serbs had been accustomed to a single chamber and did not take kindly to any proposition introducing a second and more conservative body. It is true that Protitch urged the creation of an upper house based on age, class, and talents as a bar to growth of royal power, but the Serbians did not see eye to eye with him on this point. As the Croatians and Slovenians differed among themselves respecting

the nature of their proposed upper houses, they were not able to bring united pressure on the Serbs in favor of any scheme.

The question of the judiciary was equally perplexing. If a federal system was to be established, obviously some tribunal to decide conflicts was necessary. From the Croatian side a strong judiciary (provincial in its leanings) was advocated as an instrument to protect federalism against centralization. But Serbian historic practice was against judicial control over legislation. Moreover the liberals, in general, and the Republicans, in particular, were opposed to assigning such high powers to judges, on the ground that the latter would be subject to royal influence and support the crown against popular interests and rights.

Owing to these differences of opinion and the wide scattering of the vote, it is clear that without negotiation and pressure no constitution could have been adopted. Certainly none of the federal plans presented could command a majority, or even anything more than a sectional vote—50 or 60 delegates. Long experience had made Pashitch, the directing authority in the constitutional convention, a centralist by conviction. He believed that a strong state was made necessary by the foreign and domestic situation. He feared the Croatian and Slovenian spirit, which had acted as a dissolving force in the Austro-Hungarian monarchy, and he came to the conclusion that, if allowed a free course, it would disintegrate the Yugoslav state. As the debates proceeded in the convention, he was more and more firmly convinced that there could be no agreement on any federal system.

Evidently the deliberations had to be closed by some process, for foreign relations were growing serious and a domestic settlement was made imperative by pressing economic problems. There was a large vote in favor of a centralized government and after the clever negotiations with the Yugoslav Moslems, mentioned above, Pashitch brought the constitutional conflict to an end, by adding the small number of delegates necessary to make the requisite majority.

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The final conclusion must be that unification was the fruit of the war and was carried out by self-constituted revolutionary committees in coöperation with the old government of Serbia. On the principle of unity or independence, the people of the several sections had no opportunity to vote before the fact was accomplished—no more than the people of the United States in 1776, on the choice of war or submission. What the results of a popular vote would have been, no one can say. Doubtless the Montenegrin monarchists, uncertain in number, probably very few, would have stood out against anything more than a loose federation. Sixty-three members of the constitutional convention, calling themselves "the Croatian bloc," issued in 1922 a manifesto declaring that the Constitution "was forced upon the Croatian nation in a fraudulent manner and has no moral or legal basis." If they spoke truly for their constituents in Croatia, Slavonia, Dalmatia, and Bosnia-Herzegovina, then several hundred thousand South Slavs were opposed to the kind of union which was effected at Belgrade the

year before. In fact, there was no majority in the country for any plan of government; the Constitution represented in the main the work of the Serb minority. Its chief virtue lay in the fact that it was the biggest minority; unless the country was to be governed indefinitely by a provisional cabinet, in fact, by the king and army, then strategy required the establishment of a union by negotiation and pressure.

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The Constitution thus framed and adopted has been called a mere enactment of the Serb document proclaimed in 1903, with a few modifications conforming to new conditions. Indeed, two American writers have gone so far as to say that "the more one compares the constitutions of Serbia and Yugoslavia, the less one is inclined to call the later promulgation a new constitution at all; it seems to be rather an extension of an old instrument to cover new territory . . ." [9]

If attention is directed to the general structure of government—the monarchy, the legislature of one chamber, the parliamentary system, and the scheme of local administration, this generalization is correct. But on the other hand, when details are examined, numerous differences appear, involving changes in letter and spirit as well as adjustments to meet the requirements of the new order. In the old document, a special position was given to the Eastern Orthodox religion: in the new, equality and toleration are granted to all legally recognized religions. While more

[9] Quoted in McBain and Rogers, *The New Constitutions of Europe*, p. 347.

liberal in matters of religion, the new Constitution gives the government more power over press, speech, and public meetings; in fact, notwithstanding the customary phrases of western liberalism incorporated in the supreme law, the police power of the government is without practical limits.

In matters political and economic, also, there are differences. The members of the old parliament were apportioned among districts on the basis of the number of taxpayers contained in them; only males paying a direct tax of fifteen dinars or more could vote; there was likewise a taxpaying qualification on members of parliament. In the Constitution of 1921, members of parliament are apportioned on the basis of inhabitants, not taxpayers, and manhood suffrage is established. Besides giving more power to property, the old document provided that the parliament could not debate legislative measures until they had been examined by the state council and reported to the assembly with opinions; this restriction was omitted from the new Constitution.

Reflecting the interests of the age, the Constitution [10] of 1921 contains a long section on social reform, which is not to be found in the fundamental law of 1903. In letter, it belongs to the German constitution of 1919 rather than the old Serbian instrument. It is socialistic, not individualistic in spirit. It recognizes the right of labor to organize and promises a program of labor legislation, including accident, sickness, unemployment, and other forms of insurance. It guaran-

[10] The text cited in this volume is in McBain and Rogers, *The New Constitutions of Europe.*

tees a thoroughgoing land reform and nationalization of the forests. If the rights of property are to be recognized, so are its duties. If freedom of contract is assured, social welfare is to be dominant. Taxation is to be based on social justice. An economic parliament is to be created to assist in framing social and economic legislation.

Strictly speaking, therefore, hardly a line of the old Serbian constitution remains unchanged in the new, at least in some detail, and the cumulative effect of these alterations is considerable.

CHAPTER IV

THE CROWN

The status of the Crown in the Yugoslav political system is defined in the language of European liberalism. According to the very first article of the Constitution "the government of the Kingdom of the Serbs, Croats, and Slovenes is a constitutional, parliamentary, and hereditary monarchy." And in all the provisions dealing with the rights and powers of the Crown the principle here laid down is applied in detail.

The King stands at the head of the administration. His position in this relation is first described in general terms by Article 47. The executive power is exercised by the King, through responsible ministers, in conformity to the provisions of the Constitution. Then in taking up the specific functions of government, the fundamental law assigns to the King a definite rôle in the political process.

Foreign relations are subject to his direction. He represents the nation in all intercourse with foreign governments. He declares war. It is true that "if the country is not attacked or war is not declared against it by some other states, it is necessary first to have the consent of the Parliament to declare war." This stipulation is explicit, but those familiar with the operation of such limitations on the war powers

in Germany under the Imperial Constitution of 1871 or in the United States, where only Congress can declare war, will appreciate the practical significance of this saving clause in Yugoslavia. In war and peace, the King is commander of all the military and naval forces. He appoints and dismisses officers, confers military titles as prescribed by law, grants decorations and other distinctions. The Minister of War, though theoretically responsible to Parliament in the exercise of authority, is usually a professional military man taken from active service in the Army, and he is generally the personal choice of the King.

To the Crown is intrusted the function of making peace. "Purely political agreements" may be made without the consent of the National Assembly, if they are not contrary to the Constitution and the law. But for the confirmation of all other treaties, the concurrence of Parliament is necessary. When national interests demand it, the National Assembly may authorize in advance the acceptance of a treaty by the Ministerial Council.

All branches of domestic administration are under the King's authority. He names the President and members of the Ministerial Council, that is, the heads of administrative departments, and it is expressly stated that the Council "stands immediately under the King." To the highest court of the realm, he bears a peculiar relation arising from the method of appointment which evidently contemplates a certain degree of independence on his part. One-half of the members of this high court are selected by Parliament from a list submitted by him, and the other half are selected

by him from a list presented by Parliament. He can accuse before the National Assembly the very ministers whom he appoints to carry on the work of government and thus may institute proceedings against those whose countersignature is legally necessary to any exercise of royal authority. Theoretically, ministerial approval is required for all acts of the Crown, but it is difficult to imagine a cabinet or any member of it willing to sign articles of impeachment drawn up against a colleague. At all events, the letter of the law appears to contemplate such a situation.

With respect to the making as well as the execution of the laws, the King possesses definite responsibilities. On this point the Constitution is explicit. "The legislative power is vested in the King and the National Assembly together." He convenes the Parliament in regular and special sessions. He opens and closes the sessions in person by a message from the throne or through the Council of Ministers by a message or decree. His power in this relation, however, is strictly limited. The message or communication from the throne must be signed by all the ministers. In other words, in accordance with English practice, the royal address, however prepared, is a ministerial document.

In case of an emergency, the King may convene Parliament. He may also dissolve it, but not at his pleasure on his own terms and conditions. The decree of dissolution must be signed by all the ministers, and must contain an order for a new election within three months and a summons for a new parliament within four months.

Acts of Parliament are subject to his review. The

Constitution provides that he "approves and proclaims the laws." Members of the convention which framed that instrument and commentators agree that these words confer upon the King the right of veto. If so, he has not yet seen fit to exercise it formally. Conceivably by long disuse, the power might fall into abeyance, as in England.

Besides sharing in the making and execution of the laws, the King may, within limits, mitigate or set aside their effect in criminal matters. He has the right to grant amnesty, general and individual, for political and military offences, before and during proceedings and after the pronouncement of sentence. With reference to ordinary crimes, he can pardon, reduce, or lighten the sentence, in accordance with the law for criminal procedure (if and when enacted). Should the King decide to grant amnesty to a minister impeached, he must first secure the approval of Parliament.

The rights and powers of the Crown thus enumerated are all subject to the principle of ministerial responsibility. This is implied in the Article already quoted. It is involved in various limitations scattered through the Constitution. Lest there be some doubt, the fundamental law declares in language which admits of no obscurity that "no act of the King's authority is valid nor can it be executed unless it has been signed by the competent minister. For all the King's actions, verbal or written, as well as for all his acts of a political nature, the competent minister is responsible." Not even the war powers of the Crown escape this prescription. As if the above general rule

were not sufficient, the Constitution adds that "for the actions of the King as commander in chief of the army, the minister of war and the navy is responsible."

Such is the language of the law.

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If the Constitution is to be taken literally, the King is a mere creature of the law, powerless to utter any words (presumably in public) or to commit any act of political significance without the sanction of a responsible minister. In fact, however, was the constitutional convention which framed this fundamental law a sovereign body operating without limitations or binding commitments and capable of setting aside the monarchy or imposing upon it terms which would reduce it to a mere ceremonial level? The question is by no means academic. No doubt, the Constitution seems to speak the language of sovereignty, but many of its clauses are now dead letters in practice and others are in a state of suspended animation. In any event, the King is no puppet of the European powers imposed on the nation. Neither is he a foreign monarch called in by a constituent assembly, like William III of England, to sign on a dotted line a bill laying down the terms and conditions of his tenure and authority.

While the constitutional convention might have seized sovereign powers and reduced the monarchy to a mere ceremonial institution, as a matter of fact it entered upon its work committed to the monarchical form of government and after due deliberation adhered to its pledges. As Professor Yovanovitch points out,

therefore, the constituent assembly was not a sovereign body in the full sense of that word. The reasons are as follows. From the beginning to the end of the historical process which ended in the establishment of the Constitution, the idea of the monarchy was generally accepted and the Prince Regent as a personality was a living force. The Corfu Declaration of July 20, 1917, announced that the Serbs, Croats, and Slovenes were to be liberated and united under a constitutional, democratic, and parliamentary monarchy, "headed by the Karageorgevitch dynasty which has given proof that it does not vary from the people in its ideals of liberty." The new state was to take the name of "the Kingdom of the Serbs, Croats, and Slovenes" and a constitutional assembly was to frame the new government. At no time did the Serbian government depart from this principle.

And what was the attitude of the Zagreb provisional convention which spoke for the peoples formerly subjected to Austro-Hungarian authority? Various proposals looking to the possibility of a republic were laid before that body by left-wing members, proposals intended to leave open the future form of government, republic or monarchy, to be determined by a constituent body. The resolutions finally adopted as instructions to the delegates sent to Belgrade to negotiate with Serbian and Montenegrin delegates did not close the case. They stipulated that, until the convention met to determine the form of government, the legislative power was to be vested in a provisional parliament and that executive or royal authority was to be exercised by the Prince Regent.

When the delegates, with their instructions, appeared before the Prince Regent on the evening of December 1, 1918, their official spokesman made congratulatory speeches without departing from the letter of their obligations. Judging from their remarks they were more anxious about the dangers from Italy on the west than about points in constitutional law. What had passed privately between the Prince Regent and the delegation is not known, but it is a matter of official record that, after hearing the Zagreb representatives, Alexander proclaimed the various sections united in the "Kingdom of the Serbs, Croats, and Slovenes." Presumably, he did not take that step without their express authority. Though, still circumspect in their language, the Zagreb executive committee, in telegraphing home a message dissolving the provisional convention from which the delegation sprang, added that "from December 1, the entire Slovene, Croat, Serb nation forms a united *state* under the regency of His Royal Highness, the Crown Prince Alexander." If two opinions were yet possible concerning the future form of government, one thing was certain: the Kingdom had been proclaimed.

To clinch matters, the law calling the elections for the constitutional convention [1] provided that the King might dismiss the assembly and direct its work by decree. Moreover, it stipulated that the members of the constituent body were to take an oath of loyalty to the ruling dynasty. Purists objected to this on the ground that the question of the republic was not yet

[1] Passed by the provisional parliament.

settled. But the oath was generally taken and the convention opened with that commitment. Legally speaking its sovereignty was limited. The monarchy stood as an independent institution outside of the convention, limited, if limited at all, by the old Serbian Constitution as far as a portion of the realm was concerned.

If any doubts still remained they were soon settled. The Republicans insisted on being heard. They introduced the issue in the committee of forty-two charged with reviewing plans for the new government. And although strictly speaking the question was out of order, being contrary to the oath of the members, the presiding officer allowed it to come to a vote and to encounter defeat. Beaten in the committee, the advocates carried the issue before the plenum in the form of an amendment. There the president permitted a discussion and a vote. The conclusion was foregone. Only a handful of those participating held out in favor of a republic. Although the Constitution was finally driven through the assembly by the main strength of Democrats and Serbian Radicals, assisted by Bosnian delegates who had received their pound of flesh in the form of compensation for landlords, still it could not be said that on a fair count there was a majority in favor of a republic as against the monarchy. So, to repeat the words of Professor Yovanovitch, "the Crown is older than the Constitution of the Kingdom," carrying whatever implications of law or political theory that inhere in the fact. Perhaps the fact is more important as a symbol of reality than as a canon of jurisprudence.

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After all, the words of a constitution or an accepted political theory do not confer upon any official authority or body quantities of power which are mathematically measurable. The efficient strength of a monarchy depends upon its social foundations, the posture of foreign affairs, its historical associations, and the conceptions of liberty and self-government prevailing among the people. In Yugoslavia, the Crown is fortified by no landed aristocracy capable of upholding order among its own peasantry and looking to the monarch for assistance in maintaining itself against other orders of society. In Serbia there exists no such class; there has been no such estate since the destruction of the Turkish landlords; the overwhelming majority of the people are peasant proprietors. In the parts of the Kingdom formerly attached to the Austro-Hungarian Empire, the old aristocracy has been to a considerable extent decimated by expropriations and sequestrations. Where bonds and cash have been given in exchange for land, the new bondholders have become in a measure capitalists, losing to some degree their ancient power. The old bulwark of aristocracy, primogeniture, is expressly abolished by Article 38 of the Constitution. The fourth Article declares: "Nobility and titles are not recognized; neither are there any privileged rights by birth." Moreover, it must be remembered that the great landlords of Bosnia and Herzegovina were principally Moslems in faith and sometimes Turkish in race, while those of the northern sections were frequently of German, Hungarian, and

Rumanian extraction. Most of those who have survived the flood are not attached by historic affiliations and sentiments of common struggles with the Karageorgevitch dynasty. If they look to the Crown to help them in saving such privileges as they yet retain, they may constitute a liability rather than an asset.

The second great bulwark of monarchy, a united clerical estate organized into a hierarchy, is wanting in Yugoslavia. In former times, it is true, the Serbian king was strongly supported by the Orthodox Church which, in accordance with clerical custom, taught obedience to authority as a prime moral obligation. But in the union with Serbia's neighbors, the position of the Crown in this relation has been changed. The majority of the people in the new regions are Roman Catholics, who look to the Pope for religious instructions, and Moslems to whom all branches of Christianity are equally objectionable. No doubt the Catholics of the realm are loyal to the established monarchy. They have been long accustomed to living under royal authority and they have abundantly testified to their fealty. Yet the Catholic clergy are deprived of the satisfaction which comes to them from teaching loyalty to a Crown of their own faith. They have lost large domains as a result of the radical order of things. The salaries allotted to them by the government at Belgrade are not high. Thus there is lacking some of the spontaneity that springs from a historic union with a monarch of their own persuasion and affiliation. It must be said, therefore, that the Yugoslav monarchy is without the support

of the two historic pillars of kingdom—a landed aristocracy and a united clerical hierarchy.

On the other hand, the absence of these institutional props, if a temporary weakness, may help the Crown during the inevitable transformation of Yugoslavia into a capitalistic society. Many a royal disaster in Europe can be traced to attempts of rulers to save the nobility and clergy from subjection to the bourgeoisie. This sometimes thankless task is not thrust by fate into the hands of the Karageorgevitch dynasty. It is free to adapt itself to the requirements of a business world without carrying the impedimenta of aristocratic and clerical estates. In these novel circumstances, the ingenuity of the monarch may be equal to the occasion.

At all events, for whatever is lost on account of the absence of these ancient estates, the Crown can find compensation in the popular support that springs from its association with liberation from the Turks, emancipation from Austro-Hungarian dominion, and the formation of national unity. With every step in this process it has been associated. The two dynasties that alternately ruled Serbia for more than a hundred years were founded by warriors who took to the field and risked their lives in desperate struggles for liberty against the Turks; the present dynasty, the Karageorgevitch, sprang from Kara George, who raised the standard of revolt in the first Serbian insurrection in 1804. Restored to the throne in 1903, this dynasty has been intimately connected with the agitations and the conflicts which ended in the union of the South

Slavs and the formation of the new nation. It is not an alien family imposed by conquest or by a congress of European powers upon an unwilling people. Moreover, it is of peasant stock. "My grandfather (Kara George)," King Peter is reported to have said, "was a peasant and I am prouder of that than of my throne. Crowns are lost, but the pure clean blood of those who have lived of the earth does not die." The Yugoslav monarchy, therefore, has deep roots in the psychology of the masses. It is strengthened by sentiments susceptible of no constitutional definitions.

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But in attempting to ascertain the efficient power of the Crown it would be a mistake to overestimate the complacency of these sentiments. As we have said, the conceptions and practices of self-government prevailing among the people, rather than legal phrases, fix the practical limitations for royal power, and in this connection it must be entered in the record that, more than once, rulers in Serbia have been dethroned for experiments in the arbitrary exercise of authority. Milosh Obrenovitch, one of the fighting fathers of independence, was driven out of the country on account of his refusal to abide by a few simple rules laying restraints on his administration. His son, Michael, was expelled for similar reasons, and the restored Karageorgevitch, Alexander, was ousted on kindred charges. The last palace revolution, that of 1903, was due, in part at least, to the refusal of King Alexander, of the Obrenovitch family, to abide by the popular constitution of 1889 which had been forced

on the dynasty as the result of a long and desperate struggle. In that year, when the discarded constitution, with amendments, was restored, and the Karageorgevitches were recalled, the new King, Peter I, promised to observe the fundamental law of the land. If, as rumored, he sometimes chafed at the restrictions laid on him during the frequent parliamentary dictatorships directed by the great Radical leader, Pashitch, he adhered loyally to his promises until the end.

Such is the heritage, such is the political climate, in which the monarchy at Belgrade must be operated. The fact that the various political revolutions here enumerated have been effected by a small minority residing principally in the towns does not alter the picture materially. The significance of the years 1215, 1649, and 1688 in English history does not depend upon any mere enumeration of the participants.

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When the constitutional provisions have been cited and the social backgrounds of the monarchy have been sketched, the actual weight of the Crown in the direction of the government remains to be considered. If, for example, we had only Magna Carta, the Bill of Rights, various statutes and parliamentary resolutions, and the speculations of theorists, we should know very little about the rôle of the English Crown as a working force. We might take at face value the old dictum that the British king reigns but does not rule. But the innumerable letters, memoirs, and papers of Queen Victoria and Edward VII and the statesmen associated with them give an insight into the inner operations

of the monarchy that is not exactly in keeping with the simple theory of the school books.

Unfortunately no such materials for the study of the Crown in Yugoslavia are available. The intimate papers of King Peter are not published and his official documents conform to the ceremonial requirements of parliamentary government. It is known, of course, that he did not attempt to rule in opposition to the National Assembly, but what actual influence he had on the course of its deliberations can nowhere be gauged. Nor are we more fortunate on the other side. The Radical leader who so long assumed responsibility for King Peter's acts was given to silence rather than utterance. As yet he has found no competent biographer and until the inner history of his long career is written, all accounts of parliamentary practice between 1903 and 1926 must be superficial in character.

Even though we had this coveted record, its disclosures would shed little light, perhaps, upon the present situation. In fact, the death of Pashitch made a greater revolution in the powers of the Crown than the death of King Peter, for it removed the one man capable of organizing and maintaining an effective coalition majority in the National Assembly. The expansive power of the Crown depends upon the party medium in which it works as well as upon its inherent rights and qualities.

In this connection it is necessary therefore to review briefly certain outstanding facts in the political evolution of the country since 1918. First of all, it must be remembered that during three years, until 1921, the condition of affairs was *de facto,* not *de jure.*

When all was flux and uncertainty, the Crown was the one stable element in the situation and it was supported by the Serbian army. The hastily assembled parliament was frankly provisional; and, owing to the effort to make it fairly representative, a division into factions made it almost incapable of enacting laws, to say nothing of controlling the executive authorities. Likewise, the government itself was provisional, crippled in action by a similar representation of many factions. The ministry was unstable and constantly changing.

While everything was swirling around him, the Prince Regent kept steadily at his appointed task—the establishment of the kingdom and the formation of national unity. He was at the center of the negotiations. He was with the army when it returned to Belgrade. He met the delegation from the Zagreb convention and proclaimed the Kingdom. He received the commission from Montenegro which announced the dethronement of King Nicholas, negotiated with it, and at the conclusion announced the union of that country with Serbia. He opened the provisional parliament, when it assembled at Belgrade on March 1, 1919, with a conciliatory address, expressing his pleasure in greeting the architects of victory, namely, the representatives of the various sectional assemblies now united in a single national body.

Given this state of affairs, it was inevitable that the Prince Regent should exercise personal influence on the course of political events. No party was strong enough to present an ultimatum supported by a united front. All that was offered was a series of choices.

And from time to time, the Prince Regent made it known that he had a will of his own. When, for example, on one occasion, the premier, finding it impossible to assemble a majority for important bills in the Parliament, proposed to the Crown a ukase calling a national constitutional convention, the suggestion was rejected. The Regent preferred a regular legislative assembly, not a constituent assembly, to supplant the provisional parliament. This produced the crisis of February, 1920, and the forced resignation of Mr. Davidovitch.

After passing through a series of experiments, the Regent finally selected for the post of prime minister, Milenko Vesnitch, a diplomat who stood outside the arena of ordinary parliamentary battles, and supported him in a policy of thoroughness. With conciliating firmness, Mr. Vesnitch forced a working union in the provisional parliament. He put through the first parliamentary budget obtained since the formation of the union. He secured the enactment of the long debated election law providing for the election of the national convention to frame the constitution for the Kingdom. Near the close of his administration he issued a decree declaring that communist organizations should be dissolved, their places of meeting closed, and their journals suspended. This measure, the government explained, was made necessary by secret information to the effect that the communists were in communication with foreign enemies and preparing for an attack upon the state. Besides displaying vigor in dealing with the provisional parliament and the communists, Mr. Vesnitch, contrary to the advice of timid spirits,

organized a triumphal journey for the Regent through Croatia, Slovenia, and Bosnia, which drew spontaneous outbursts of loyalty to the Crown in all sections. Then, having accomplished these results, he gave way for Mr. Pashitch, who had returned from Paris and once more took the helm of state.[2]

But the Regent did not efface himself in the presence of the old master. When Mr. Pashitch lost control of Parliament for a moment in December, 1922, Alexander, now King, during a parliamentary crisis that lasted for thirty days, sought to adjust the differences between the Radicals and the Democrats by discovering a middle ground of compromise. Only when he failed in his efforts did he summon Mr. Pashitch to the head of affairs on his own terms, with a cabinet composed entirely of Radicals, except for two portfolios given to the centralist faction from Bosnia. All went well for a while until Mr. Pashitch found himself in a deadlock again and asked the King to give him a decree dissolving Parliament and calling a new election. Convinced that the request was not opportune, the King appealed to another Radical, Mr. L. Yovanovitch, to attempt the formation of a government. Only after the failure of Mr. Yovanovitch did Alexander return to customary parliamentary practice and invite the head of the opposition to organize a new ministry.

It is clear from this review of affairs down to the close of the year 1925, that the Crown in Yugoslavia is in no such position as the Crown in England. In the latter country, the King has no choice but to accept

[2] Mousset, *Le Royaume Serbe, Croate, Slovene,* pp. 39ff.

the ministry thrust upon him by the party that has a working majority in the House of Commons. In Yugoslavia, on the other hand, where Parliament is divided into five or six parties, no one of which can hope to command a majority, the way is opened for the exercise of royal preferences. Such preferences may come into play all the more readily because the strongest of the parties, the Radicals and the Democrats, are both internally weak and without effective engines, either personal or organized, for the concentration of power. In these circumstances, the King cannot avoid, even if he would, the making of choices among various possibilities.

It has been rumored that the King, remembering perhaps the case of William II and Bismarck, chafed a bit under the somewhat harsh régime of Mr. Pashitch. If so, the death of that gentleman made it unnecessary to "drop the pilot." At all events, the passing of Mr. Pashitch removed the chief parliamentary organizer and increased the powers of the Crown as well as its responsibilities—at least until a concentration of parties can take place, limiting the King to the selection of ministers already determined upon in party caucus. For the time being, the Crown possesses a large power in the selection of cabinets, controlling the patronage so coveted in politics.

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It is perhaps owing to this state of affairs that a Belgrade paper on January 6, 1928, ventured to remark: "It has become the custom in recent times to speak of 'secret powers' which are said to be actually

supreme in Yugoslav politics. By this is meant, above all things, military and court circles." Without granting too much credence to rumor, it may be added that, given the weakness of the party system, it would be strange if the weight of the Crown were not considerable in the making of political decisions.

But judging from outward signs, the King conducts his political management with great circumspection. Unlike the late Emperor, William II, he does not continually startle the country with speeches on controversial questions. His public addresses conform to the ceremonial requirements of a parliamentary government. He is apparently prepared to discuss public affairs with any of the party leaders. The daily press reports visits to the palace by the representatives of the opposition as well as the premier and his colleagues. During the celebration of the baptism of his second son, early in 1928, the King stopped to talk politics for an hour with Mr. Raditch, who ten short years ago was calling for a peasant republic; and a few days later, when the cabinet was hanging in the balance, Alexander again held a long conference with that intransigent leader of the Croatian Peasant party. If he sometimes grows impatient, like Oliver Cromwell, with the loquacity and endless negotiations of the party leaders in and out of power, he betrays no sign of it to the public. To all appearances he gladly suffers Mr. Uzunovitch to change his cabinet five times in less than a year and listens with toleration to the ceaseless discussions about the ousting and formation of governments.

A concrete illustration of the King's evident desire to rule in accordance with parliamentary practice was given in language that admitted of no doubt during the political crisis in February, 1928. On the resignation of the prime minister, Mr. Vukichevitch, the King, acting constantly on the advice of the President of the Parliament, offered the mandate first to one parliamentary leader and then another, in an effort to secure the formation of a working cabinet. Day after day, his time was consumed in conferences and, if there was any parliamentary director who was refused an audience, no note of the fact appears in the record kept by the watchful daily press.

Suddenly, in the midst of these negotiations, Mr. Stephen Raditch, after receiving the mandate and failing to form a government himself, went to the King, on February 19, and flatly proposed the establishment of a military dictatorship. On emerging from the Palace, Mr. Raditch called the reporters and told them that he had suggested to His Majesty that the creation of the new cabinet should be entrusted to some person outside of Parliament, preferably a military officer. Then Mr. Raditch added: "Our national army, which is our national shrine in its grandest representation, can perhaps alone furnish a generally recognized leader strong enough to drive away unmercifully corruption and lawlessness, to destroy partisanship in administration, and to overcome the political terrorism which is turning our entire country into a great penitentiary. Whoever is in favor of prisons is for Vukichevitch; whoever is for the Constitution and for Parliament is in favor of my proposal."

To this suggestion, the King, after thinking for a while, replied in the following form, as stated by Mr. Raditch himself in a dictation to the reporters: "You demand something to which I cannot agree. I have kept and am keeping the army far away from daily politics. The army is serving and should serve the great national and state purposes. However I see that the question of forming a concentration ministry revolves about personalities and I admit that a concentration of all political parties offers, perhaps, the only way of solving the great problems of the hour. I shall continue to investigate this matter. On principle, I am prepared to look for an individual capable of carrying through expressly the proposed program of concentration. After that, the parliamentary parties should find a new leader in the National Assembly and should continue to work under parliamentary leadership. Under no circumstances do I want any feature of party politics to be transferred to the army. I shall consult other members of Parliament and I think that it may be necessary for me to speak with you again." Two days after receiving this astounding proposition from a former advocate of republicanism and federalism, the King, in consultation with the President of Parliament in proper legal form, tendered the mandate to a political leader of high standing and long experience in the National Assembly. Thus His Majesty made it clear to the country that he would not permit the army to meddle in daily politics and that only in necessity, after exhausting all other methods to break a deadlock, would he resort to some individual outside of Parliament. That remedy he

characterized as extraordinary, to be followed by a return to correct parliamentary practices.

When, in the summer of 1928, after the tragic shooting affray in Parliament, the King at last yielded to the demand for a conciliation ministry headed by a figure more neutral than any of the political leaders and, therefore, commissioned General Hadjitch [1] to undertake the task of forming a cabinet, the experiment failed. And the reason for the failure was the firm stand of Mr. Stephen Raditch, who based his opposition on the ground that he could not cooperate with a Parliament "responsible for the recent murders." This attempt and the failure, however, can hardly be attributed in any way to plans of the Crown for the establishment of despotic government. On the contrary, the circumstances were extraordinary and the precedent of a military premier, if it had been established, would have been an incident rather than a revolution in the working of the parliamentary system. Far from taking advantage of the opportunity to enlarge the powers of the Crown during the crisis, King Alexander played the rôle of mediator in the interests of national unity. If he emerges from this struggle a stronger figure in public life, it will be on account of his moderation and detachment from sectional quarrels, rather than his efforts at personal aggrandizement in time of public peril. When, on January 6, 1929, he finally assumed dictatorial powers, the parliamentary system had clearly failed to break the deadlock created by the Croatian secession.

[1] Long Minister of War.

CHAPTER V

PARLIAMENT

By article 46 of the Constitution, the legislative power is vested in "the King and the National Assembly together." This Parliament consists of a single chamber. The question of an upper house was widely discussed at the time of the formation of the Constitution but the debate ended in the continuation of the old Serbian system. None of the proposed substitutes could command a majority. The establishment of an upper chamber in the form of an economic house representing classes and associations, suggested by Slovenian delegates, was too novel to excite much interest. In the Croatian proposal, contemplating a senate as well as a lower chamber, the federal idea was involved and hence rejected in advance by the Serbs. Another scheme, defended by Mr. Stoyan Protitch, looked to the creation of a conservative body combining age, experience, and solidity and capable of acting as a check on the Crown and the vacillations of the popular representation; but it was put aside as reactionary.

With so much difference of opinion as to the matter, it was a foregone conclusion that the single chamber proposition would be adopted. As James Madison said long ago, it is useless to try by abstract standards

an institution which is the product of a necessary compromise. According to a statement purporting to be the "political testament" of Pashitch, published in December, 1927, this experienced statesman privately believed that an upper house was required in the interests of political stability; but, judging from present interest in the subject, it will remain an academic topic unless federalism is revived. Perhaps those who would like to see such an institution set up can remember that the attempt of Alexander Obrenovitch to decree a constitution providing for a senate was one of the reasons for his unpopularity and his tragic fate.

The right to vote for members of the National Assembly is conferred on every citizen, by birth or naturalization, who is twenty-one years of age. In practice, this means every male citizen. During the discussion over the drafting of a constitution, the question of conferring the vote upon women was raised and received support from parties on the left, but the constituent assembly disposed of the issue by a simple device. It added to the Article on the suffrage the brief provision that "the right of women to vote will be decided by law." The ballot may be conferred upon women, therefore, by mere act of Parliament, without resorting to the formality of amending the Constitution. Although there are associations of women who demand the suffrage and the Slovenian Populist party has consistently advocated it, Parliament has not found the demand sufficiently effective to force action in the premises.

Manhood suffrage, as provided by law, is subject to certain constitutional restrictions. Officers and sol-

diers under the colors cannot vote. Public charges and persons under guardianship are deprived of the ballot. Persons sentenced to prison are likewise disfranchised until their rights are restored.

Population is the basis of representation. By the Constitution it is provided that there shall be one representative for every forty thousand inhabitants and that, if in any one election district there is an excess of more than twenty-five thousand, an additional representative shall be chosen. In compliance with this rule the membership of the Parliament is fixed at 315, making a large and unwieldy assembly, difficult to organize and expensive to maintain.

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In harmony with all the new constitutions born of the World War, that of Yugoslavia provides for proportional representation or, to speak strictly, for representation of the minority. Indeed it is not correct to say that Yugoslavia has proportional representation. The fundamental law expressly provides for "representation of the minority," and it was not the intention of the convention which adopted it to give each political party a membership in Parliament nicely adjusted to the number of its votes. Nothing like the German system was contemplated. On the contrary, the idea was to break the provincialism of the various sections and assure the creation of large national parties. Based on the d'Hondt system, "its chief characteristic," as has been said, "is the protection of large parties."

In practice, the operation of the system is deter-

mined by the following stipulations set forth in the election law:

1. The country is divided into fifty-six election districts. For the present, parliamentary districts do not cut across sectional lines. No attempt is made to merge Slovenes with Croats and Serbians with Bosnians, but it is seriously proposed that the districts should correspond with the thirty-three *oblasti,* or regions established for permanent administrative purposes. If this is done, parliamentary districts will, in a few cases, bisect sectional lines.

2. For each election there is an assignment of seats among the parliamentary districts on the basis of the numerical principle laid down above. This assignment is made by an official state committee on elections composed of high public authorities. The committee is empowered to collect population statistics, allocate seats, and arrange the subdivisions of the districts into *srezovi* (counties) for the selection of local members of Parliament as described below.

3. A list of voters is prepared for each commune (*opshtina*)[1] under full safeguards and made a matter of public record.

4. With a few exceptions, each parliamentary district has two or more candidates and for election purposes is divided into districts known as *srezovi* (singular *srez*). In this way, provision is made for the selection of one man, or a "leader," representing the whole parliamentary district and for the distribution of the remaining seats among localities.

5. The nomination of candidates by the respective

[1] For definition of this term, see below, Chapter XIII.

political parties conforms to the principle of subdivision just described; that is, for each parliamentary district, a "leader" is nominated by each of the parties desiring to participate in the election and then a local candidate is nominated in each *srez*. So far as the law is concerned, a candidate may be put up by a petition signed by one hundred voters. In practice, the parliamentary-district leader for each party is nominated by a district convention composed of delegates from local units, chosen by party members or by local conventions in turn selected by party members. Likewise the *srez* candidate is nominated in a similar manner by a local party assembly—an institution described more fully below in the chapter on political organizations.

Under this system, therefore, each participating party prepares a list of its candidates to be presented to the voters of the entire parliamentary district. This list contains the name of the election district, the date of the election, the name of the person who heads the list as leader, with his occupation and residence, and then in alphabetical order the several *srezovi,* with the name of the candidate nominated by the party for each of them respectively. This list of candidates is followed by the signatures of the proponents, that is, one hundred for each candidate.

6. For the purpose of balloting, a polling place is established in each *opshtina,* or commune, and if it has more than eight hundred voters subdivision is made on the basis of the voting population. At the polling place, an official committee composed of competent authorities and one delegate from each of the parties offering a list presides over the election process, counts

the vote, and makes the returns. In this way, all participating parties are supposed to be fairly represented and precautions are taken to assure a correct count. In this respect the details of the law leave nothing to be desired.

At the polling place, each party presenting a list of candidates has a box. When the voter enters the room, he is given a rubber ball and he passes his hand containing the ball into each of the boxes, allowing it to drop into the urn of the list which he favors. When the polls are closed the official committee described above counts the balls in the boxes, makes out an official return for the election district, signs it, and sends it to the official committee for the parliamentary district.

On the following day at nine o'clock in the morning, the central election committee of the parliamentary district meets to canvass the local returns. This committee is composed of high judicial and official authorities and two members from each of the parties offering a list, for the purpose of assuring a correct survey and report.

7. The result of the election is determined by the following process. The total vote cast in the parliamentary district is divided by the number of seats to be filled, plus one. In this manner a quotient is obtained. Ordinarily every party list which does not obtain such a quotient is thrown out and not counted. If it happens, however, in a parliamentary district with six or more seats, that only one party receives a quotient, then the party standing next in the number of its votes is assigned a member of Parliament. Further-

more, if it happens that, in a district with nine or more seats, only two party lists receive quotients, then the next party in order is given a seat.

After the quotient is applied as above and winning lists are separated from those to be put into the discard, a table of "electoral quotients" is obtained by dividing the total vote cast for each party by one, two, three, and so on up to the total number of seats allotted to the parliamentary district. Seats are then assigned to the respective parties in the order of the largest quotients appearing on the table, until all the seats have been filled. For numerous other contingencies not here mentioned, provision is made in the law. When the number of members to which the party is entitled is calculated, seats are assigned first to the leader and then to the respective *srez* candidates in the order of the vote polled by each. Candidates elected in more than one parliamentary district or more than one *srez* must indicate the seat which they intend to fill, and their substitutes, named in advance in accordance with the law, are given the vacant places.

In practice, it must be admitted, the scheme of minority representation has met the expectations of its authors only to a limited degree. It has contributed something to the strength of the larger parties, but how much it is difficult to estimate. It has reduced the representation of the smaller minorities as calculated on a strict mathematical basis. It has enabled the Radical and Democratic parties to break into sections which, under the single-member system, would return solid sectional delegations. But it has not

destroyed sectionalism in Yugoslav politics, for sectionalism is founded on economic, religious, and historical conditions which are hardly to be eliminated by mathematical calculations. That which does not exist will not be "represented" under any scheme.

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Protests against the device are to be heard in many quarters. One of the Belgrade papers greeted its readers on the New Year of 1928 with a leading article demanding a reform in it. The author of the article called for a reduction in the size of Parliament on the ground that the existing number creates a "political proletariat." Then the writer asked for the complete abolition of minority representation and the substitution of election in single-member districts by simple majority rule. For American readers, long accustomed to the abuses of the single-member district, resulting frequently in the rule of minorities, the refrain of the Belgrade reformer has a familiar sound. "Above all," runs the prophecy, "the district system would put an end to dictation by party bosses. Then only men who have done something for their district would be elected, while their dependence on the voters of definite districts would force them into some activity in order not to lose their constituencies. Furthermore the members of Parliament would be more independent of party direction; and the government, supported by parties founded on actual public opinion expressed in free choice, would take office with an authority entirely different from that which it enjoys to-day—an authority which consists merely in its own strength."

What the substitution of the single-member district nor the multiple-member district, with minority representation, would do in Yugoslavia, one can only guess. But if American experience is any basis for judgment, then it must be said that the hopes of the expectant writer, quoted above, are not likely to be realized. In the United States the district system has not dethroned the party bosses; nor for that matter has any of the other schemes for "purifying politics." It has, however, realized one dream of the Belgrade publicist. It has made the member dependent upon his constituents, or at least the active and busy elements among them, and for that reason forces him to devote a considerable portion of his time and energy to getting appropriations from the public treasury in favor of his locality, to the neglect of national concerns. It is generally agreed among American publicists that this is one of the evils of municipal, state, and national politics to be combatted at every turn. Perhaps it is better to have members of legislatures inactive, as the Belgrade writer complains, than to have them devoting their time to gouging money out of the public treasury for local roads, bridges, post-offices, and other public works. On the other hand, this devotion to "nursing" local constituencies does tend to a concentration of power in government, for the simple reason that the individual members, in order to get money appropriated for the benefit of their districts, must make terms with the central machine that guards the treasury. In that way, votes for large national measures may be assembled by the high managers of political affairs, and important, if not always

desirable, projects of legislation driven through Congress.

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Besides the objections frequently urged against the principle of minority representation, the complaint is likewise heard in Yugoslavia that the government in power at any given moment can exert pressure on the election procedure, especially through the office of the Minister of the Interior, and in fact determine the outcome. "The election of September 11, 1927," declares a Belgrade paper, "has made it once more evident that we have not only a government dictatorship but also a dictatorship of party bosses." In the course of the budget hearings held by the finance committee of Parliament in January, 1928, the Minister was directly charged with having controlled the "expression of popular will" at the last election, and the Minister answered by saying to the inquisitor: "You were in this office once. What did you do?"

Without taking political bickerings too seriously, it must be conceded that the Minister of the Interior does possess engines of control which may be brought into play during campaigns and elections. A certain amount of political patronage connected with the centralized system of administration is in his hands; while in practice he cannot, owing to the permanency of the civil service, make wholesale removals and appointments, he can effect transfers, promotions, and advancements that are not to be despised. The heads of the national administrative machine, in the several

localities, are appointees of the Minister of the Interior. They stand directly under his authority in many relations. They represent all the political functions of the government in their respective regions. They report to the Ministry on local events. Through them, the use of the police is directed from the center. Political meetings can be hampered and, if utterances too radical are made, they may be dissolved under the law against communists. If that is not sufficient, a more general statute for the defence of the state may be brought into play. In addition to interfering with meetings, the police can take a hand in inducing voters of the proper political color to come to the polling places and take part in the balloting. Ordinarily from twenty to thirty per cent of the electorate fails to exercise the right of franchise in elections, and by a little judicious pressure, perhaps not going beyond friendly suggestion, the police can increase the number of active voters.

But there is no ground for taking an extreme view of the matter. The electoral procedure, as defined by law and, to a large extent, carried out in practice, provides for a fair count by giving all the parties that present lists representation in the counting of the ballots and the compilations of the returns. Still, without the assistance of any pressure from the center, the government candidates have a distinct advantage. It is constantly asked, and with good reason: "Why vote for an opposition candidate who cannot do anything for the district if elected, except complain from his bench?" If, however, there is some reality to the

"terror" against which complaints are made, it remains a fact that the Bosnian Moslems, the Croatian Peasant party, the German party, and the Slovenian Populist party manage to sweep their districts with mechanical regularity, losing very few seats to the government, if any, as a result of influences from the center. Indeed it is sometimes claimed by way of retort on behalf of the government that the party chiefs in their respective sections have "a little terror of their own."

So far as the influencing of elections by promises of employment and by direct bribery is concerned, the terms of the law are explicit and in conformity to the principles of the best modern corrupt practices acts. The offering of money or places, either government or private, to induce any voter to sign a candidate's petition or to induce any candidate to withdraw from a list or any voter to vote or abstain from voting for any party list, is punishable by fine and imprisonment. The penalty for making threats or bringing coercion to bear in elections includes both fine and imprisonment. Anyone who accepts a bribe is liable to the same penalties as the bribe-giver. Officers of the army and navy who violate the election law are subject to the civil courts. If, therefore, a political party or an individual candidate has a grievance against the election officials, the police, or the central government, on account of coercion and bribery, there is always open an action at law.

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Following American rather than English practice, the Constitution of Yugoslavia provides that the

National Assembly shall verify the credentials of its members and pass upon them. The English idea of submitting election disputes to courts of law is thus rejected. In reviewing mandates, the Assembly works through a committee on verification composed of twenty-one members chosen on the principle of proportional representation. Whenever the right of a member to his seat is challenged, the committee hears the contestants and reviews the testimony in the case. Although the decision, as in the United States, is sometimes, if not often, affected by partisan considerations, it is not always controlled by them. There is on record, for example, a case in which the son of a prime minister commanding a majority in the Parliament was denied his seat in favor of a contestant from the opposition ranks.

In the Constitution, certain restrictions relative to qualifications of members of Parliament are briefly laid down. Every candidate for Parliament must be a voter, a citizen by birth or naturalization, at least thirty years of age, and able to speak and write the national language. Among a people whose rate of illiteracy ranges from ten to seventy-five per cent, the provision requiring the ability to write works a material disqualification, especially in the sections occupied by untutored peasants. At the same time, it operates in favor of the official class, whose members have enjoyed the benefits of education.

To make way for persons of that social order, the Constitution expressly defines the conditions upon which they may offer themselves as candidates. Cabinet members and university professors may become

candidates and if elected may retain their positions. Police, customs, agrarian-reform, and forestry officials cannot be candidates unless they have resigned their posts at least one year previous to the call for the election. Government contractors and supply agents cannot serve at the same time as members of Parliament. Officers and soldiers under the colors, not being voters, are automatically excluded. Subject to these exceptions and certain other regulations, public officials may serve in Parliament, on condition that they resign their positions during their tenure as Assemblymen.

Once elected, the member of Parliament takes an oath to support the Constitution and becomes in theory a spokesman of the nation. In language that conforms to the grand doctrine of Edmund Burke, more often violated than observed among people enjoying parliamentary government, the Constitution declares that "every National Assemblyman represents all the people and not only those who have elected him. The voters cannot give and the National Assemblymen cannot accept commanding and obligatory instructions." For practical purposes, the chief use of this provision is to illustrate the inefficiency of constitutional provisions which do not correspond to the realities of political life and the influence of fine hopes upon the course of events.

If we turn from the legal qualifications of members to the actual qualifications, as determined by popular selection, we find the following classification of the Parliament chosen in September, 1927:

Professional parliamentarians and politicians	58
Lawyers	46
Business men and industrialists	36
Officials	28
Peasants	23
Pensioners of the government	20
Physicians	15
Country gentlemen	14
Agricultural laborers and poor peasants (petty landowners)	13
Professors	13
Journalists	11
Clergymen	11
Teachers	9
Specialists	7
Engineers	5
Innkeeper	1
Locksmith	1
Druggist	1
Clerk	1
Contractor	1
Carpenter	1
Total	315

By way of recapitulation, it is apparent that more than one-third of the members are professional parliamentarians and politicians, officials, or government pensioners. This group, combined with the lawyers, forms nearly one-half of the entire membership. In a country where eighty per cent of the people are engaged in agriculture, peasants and agricultural laborers have about one-tenth of the seats in the National Assembly. Industrial workers have no spokesman in a representative of their own class. Of the great eco-

nomic divisions—agriculture, labor, and capital—only the last named has a delegation in Parliament comparable to its numerical strength. In short, the Parliament of Yugoslavia, like the parliaments and congresses of other countries enjoying democratic government, is composed mainly of masters of the spoken and written word, not creative organizers in the world of economic production.

By constitutional provision, the usual parliamentary immunities are guaranteed to members of the National Assembly. They are not responsible to anyone for their votes cast in the Parliament. For statements and conduct arising out of their functions in the sessions of the Assembly, committees, special sessions, or the performance of special duties delegated to them by the Parliament, members are accountable only to the chamber under the rules of order. Except when apprehended in the commission of a crime or transgression of the law, they cannot be held for any offense or deprived of their freedom during the term of their mandates. Immunity begins on the day of election. Whenever a member is arrested under the exceptional clause mentioned above, the Assembly must be informed at once, if it is in session, and it may grant or withhold the right of trial during the session. As if recalling the history of old days under the Stuarts in England, the framers of the Constitution have attempted to protect the Parliament against military interference. Without the consent of the Assembly, no armed guard can be placed in the building in which it meets; the approval of the presiding officer is necessary before any armed force can enter the grounds of

the building. Except persons properly authorized and on duty, no one can enter the premises carrying weapons.[1] To deal with questions of privileges arising under the constitutional provisions, Parliament has created a standing committee on immunities, composed of twenty-one members, to which are referred all appropriate matters for investigation and report.

§

In conformity to long-accepted legal principles, the Constitution provides that the Parliament shall elect its officers from its own membership. In conformity to accepted political practice, the election is decided in advance by the party clubs that happen to be united in forming the working coalition for the government. When chosen, the president of the chamber takes a position about midway between the Speaker of the House at Westminster and the Speaker of the House of Representatives at Washington. He is less a moderator than the former and less a party director than the latter. The president of the Parliament in Belgrade is no mere presiding officer bound to sacrifice the interests of his party in the preservation of ceremonial niceties. On the other hand, though a party leader, he is not called upon to exert great influence upon proceedings on behalf of his party; that function under parliamentary government is assumed by the ministry in power for the moment.

By Article 86 of the Constitution, it is stipulated that Parliament must operate through a committee system. "No legislative motion," runs the provision,

[1] A rule not strictly enforced.

"can be debated in the National Assembly until it has first gone through the proper committee." While leaving the formation of the committees in general to the chamber, the Constitution also requires the creation of a special legislative committee for the purpose of expediting the confirmation of government decrees and the consolidation of laws as contemplated by Articles 130 and 133. Subject to these conditions, Parliament has created seven standing committees: the special committee on legislation just mentioned, a verification committee to pass upon the credentials of members, a committee of party chiefs, a committee on administration, a committee on parliamentary immunities, a committee on complaints and petitions, and a financial committee, last but most important.

All the committees are elected by the chamber on the principle of proportional representation, thus giving to the various party groups a voice in their deliberations. As a matter of course, nominations to positions on committees are made by the several party clubs and the election in Parliament is mainly a formal proceeding. Except for the finance committee, which is renewed at each session, the committees serve during the life of a parliament, which is for four years unless interrupted by a dissolution.

According to rules and practices, all the committees, save the one on law consolidation, function behind closed doors with only the newspaper reporters present. Knowing full well the tendency of members to address distant constituents from the chamber in Belgrade, the managers of parliamentary business have determined against public hearings, with the exception

noted. It is the prime duty of the committee to study the bills and matters referred to it, not to prepare and draft measures. That responsibility is left to the ministry and to individual members of Parliament. In discussing a bill the committee, of course, hears the minister in whose province it falls and technical experts if the occasion requires it. Even though the committee, by its composition, speaks for the coalition majority, it sometimes exercises a great influence on the form and content of bills placed in its hands. Especially is this true in the case of financial measures. It cannot be said, therefore, that the committee is a mere rubber stamp for the ministry.

Besides the standing committees already enumerated, Parliament creates from time to time special committees for investigation and for the intensive study of particular matters. In the selection of such committees, the principle of proportional representation is applied. The highly controversial tax bill of 1928, for example, was referred to a special committee. Occasionally political scandals are subjected to scrutiny by a committee constituted for the purpose, with full powers to summon witnesses and call for papers and documents by judicial process.

As may be expected in connection with parliamentary, as distinguished from the presidential, form of government, the rôle of the committee in the National Assembly of Belgrade is not so important as in the Congress at Washington. It is true that individual members as well as the ministry may introduce bills and that, in common with all other legislative measures, private-member propositions must go to com-

mittee. But in keeping with the parliamentary system, the government in power determines all important business to be reported and heard. Individual members have no power, even in combination with their colleagues, to force a standing committee to report a bill against the will of the ministry. Neither can a special committee be brought to book by any mere resolution or order. If it is dilatory, the remedy is to discharge it and appoint a new committee.

For the transaction of business, it is necessary to have one-third of the members present. Whenever a motion is to be carried, a majority must be on the floor.

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As stated above, bills may be introduced either by the ministry or by individual members and all of them must be referred to a standing or special committee. They cannot be debated until reported out in due form. Speakers on bills and resolutions are recognized by the president of the chamber at his discretion, subject to appeal from the decision of the chair. For important measures, the order and names of the speakers are agreed upon in advance by negotiation in the regular committee of party chiefs. Precedence is given, of course, to bills sponsored by the ministry, and defenders of these are selected by the government. With a view to restraining the loquacity of members, a time limit is placed on speeches and the closure may be applied on application of twenty members. In general debates, members appointed to speak on behalf of the parties are allowed one hour and a half

each and in debates on particulars the period is one hour. Individual members speaking on their own account are confined to one hour during general discussion and to one-half an hour during the consideration of items. A further restraint on verbosity is to be found in the salutary rule to the effect that no one can read his address to the house.

With respect to the interpellation, that institution so celebrated among commentators on parliamentary government, the Constitution and the rules of the Assembly comply with the canonical articles of liberal faith. Those who have observed the institution in operation in England and France, not overlooking the adroitness of ministers in evading issues and giving oblique answers, will not be inclined to lay much stress on its efficiency either as an engine for developing information or improving the administration of government. But its place in the Yugoslav system deserves consideration. The Constitution gives to each member of the Parliament the right to direct interpellations and questions to ministers and lays upon ministers the obligation to answer during the same session within the time prescribed by the rules.

Interpellations must be submitted in writing and handed to the president of the Assembly. He in turn communicates them to the appropriate minister and lays them before Parliament at the next meeting. All interpellations are printed and distributed among the members at least three days before the debate on them occurs. When the minister receives notice of an interpellation, he must, within five days, inform the house through the president concerning the date fixed for

his reply. According to the letter of the law, he must give his answer during the same session and within two months at least. An interpellation entered upon the calendar may be advanced and given a preference over other questions, on the request of the member introducing it, with the consent of the house; and, at the request of the minister involved, the date for answer and debate, after being agreed upon, may be postponed, with the consent of the chamber.

In practice, however, ministers are generally dilatory in replying to interpellations. Often they resort to long delays in fixing the date for their answers and occasionally put it off indefinitely. Indeed, it is a common thing for ministers to ignore interpellations altogether and to leave the member unsatisfied in his curiosity.

Questions stand upon a somewhat different footing. The rules of the National Assembly provide that short questions may be directed to a minister in writing through the president. The minister answers in writing unless the interrogator expressly demands an oral answer. In the former case, the answer must be given within eight days, in the latter case within three days. If the answer calls for the collection of special data, then the minister is allowed a month to prepare his reply. Debates on short questions are calendared for the first hour of the day's business and cannot last more than one hour. The member who has put the question can speak only five minutes after the minister has delivered his reply and may state whether he is satisfied with the results of his inquiry.

As in the case of interpellations, questions count

for little in the life of the parties or in determining the fate of ministers. It is true that the government may, under the rules, stake its existence on the vote arising out of questions and interpellations and has a right to choose the issues which it will make vital to its continuance in office. But cabinets are not made and unmade in Belgrade on the basis of such operations.

It would be a mistake, however, to reckon the efficiency of the interpellation system solely on the basis of changes brought about in the composition of the cabinet, responses made by ministers, and alterations in legislation or the conduct of administration. Questions and interpellations are directed as much to the country as to the government in power. It is proper that this should be so, for a parliament is not only a technical law-making body; it is bound to reflect popular sentiment and to keep the public informed with respect to daily events in politics. Its influence in this relation is not always immediately recorded, but it counts in the life of the nation. The possibility of a searching scrutiny in Parliament is always before every minister in the discharge of his official functions.

Therefore, it will be useful to examine some practical examples of questioning in the National Assembly. The prime minister, in selecting his cabinet, for instance, chooses a military man as head of the Department of Communications. He is attacked and questioned from the floor, not once but many times. He adheres to his choice. But the country is informed of the fact through the reports of parliamentary proceedings contained in the daily press. It is being educated and is receiving information upon which it can

base decisions in future elections either for or against such a public policy. Again, the Minister of the Interior appoints an army officer as prefect of a province in spite of the fact that the law prescribes a legal training for occupants of this post. A question is directed to the Minister on the point; he is accused from the floor of violating the law and the Constitution. He asks for time to consider, but does nothing about it. The affair has apparently ended in smoke, but the incident is made known to the nation through the press and ultimately the nation must decide all such questions itself. Still later, the secret police force expels from the country, without judicial process, a Russian woman charged with having communist connections. Immediately the Minister of the Interior is confronted with a question on the incident. He replies that he has not yet received full official information on the matter; he delays his response but from time to time the opposition directs interrogations to him, incidentally advertising the affair from one end of the country to the other.

As a matter of fact, as already indicated, ministers give little attention to the debates in the National Assembly. Depending for their fate rather upon the support of their respective party clubs, they devote their energy to keeping their "fences in order," to use an American expression, by informing and conciliating the members of their party faction. As long as they enjoy the confidence of the club, they may safely ignore the stings of parliamentary questioners.

Moreover the debates have little influence on the fate of bills, the amendment of proposals, or the

decision of questions. Frequently, they are directed, as in the case of the House of Representatives in Washington, to the press and to constituents rather than to colleagues. It is not uncommon for members to forget that they are in the chamber and address their fellow-members as "gentlemen and brothers," using the language of the hustings instead of the house. Although they do not enjoy the American privilege of "extending their remarks" and sending broadcast speeches not delivered in Parliament, the amount of time devoted to general deliberations permits them to say whatever they have to say at any length within reason. Debates do not change votes or force out ministers. As there are no party whips to compel the attendance of members, parliamentary loquacity is often wasted on empty benches.

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Among the various organizations for the direction of parliamentary business and the management of politics, the party club assumes a leading place. Each party or group is formally organized in a club. All members of the affiliation in Parliament are admitted to its fellowship and share in its deliberations. Under an innovation adopted in 1928, the Democratic club allows members of the national committee to attend its meetings without enjoying the right to speak or vote. With reference to all important measures pending in the Assembly, the club holds conferences and decides on its policies. Members of the various parliamentary committees, nominally chosen by the Assembly, are really selected by the respective clubs. Unlike

meetings of party caucuses in Washington, conferences of the party club in Belgrade are open to representatives of the press and are reported in great detail when any affair of lively news interest is on the carpet. Even the vote taken is generally published. In practice, however, the poll is rather an expression of opinion than an obligatory rule, for all club members are not bound to vote on the floor of the Assembly in accordance with the decision of the majority in caucus.

Perhaps the most interesting feature of the club system is its recognition by the rules of the National Assembly. These rules institute a standing committee composed of the heads of the party clubs, whose business it is to direct affairs on the floor. This committee decides how many days shall be allotted to debates on main issues and how many speakers shall be assigned to each group, unless otherwise directed by special rules and regulations. The committee likewise fixes the amount of time to be devoted to debates on particulars and items as well as other questions referred to it by the chamber. At the meetings of the committee the president of Parliament and the prime minister may be present and enjoy the right to give an advisory vote. Decisions made in the committee are reported to the house for adoption or rejection without debate. Considered from the American standpoint, the committee of the heads of party clubs is, therefore, a combination of a party "steering committee" and a committee on rules, with the minority functioning in a more effective manner than in American legislatures.

Perhaps this very tenderness for minority opinions is one of the main reasons for the legislative sterility of the Belgrade Assembly.

Besides discharging its functions in relation to legislation, the party club serves as a national political institution and is recognized as an integral factor in the national party organization. Indeed, in practice it is doubtless the most powerful organ of the party machine. Composed of members of Parliament devoted mainly to political affairs and concentrated for several months each year in the capital, the club, to use an American expression, is "on the job all the time." Its members are to be found on the national committee of the party and they take an active interest in its direction. There is, it is true, a body which is theoretically superior, that is the national party convention, discussed below, but some of the parties have no such institution and others call it at very irregular intervals. Over the hardened soldiers of the party club, a periodical convention of party delegates from the country can exercise little control.

In an effort to work a concentration of party strength and to give power to leadership, the Democrats attempted, in 1928, to make the convention and its organs supreme over the club, and to some extent it was successful in theory, but whether this sovereignty can last is a debatable matter. Like a good court, the party club resists all efforts to narrow its jurisdiction and the nature of its membership and organization gives it an almost impregnable position. Even in the United States, where the party convention

is theoretically sovereign in the party, members of legislatures often pay no attention to its declarations and professions of faith. Conversely, on more than one occasion, Americans have seen the party convention repudiate measures adopted by party members in Congress. Unless there are masterful figures in the party, ruling both in convention and legislative caucus, commanding money, patronage, and authority, unity and vigor of action are difficult to obtain. Party machinery does not automatically guarantee strength and capacity for decision. They must be sought deeper in the power of personality and in the social and economic forces.

§

With questions of constitutionality, which occupy such a large place in debates at Washington, the Parliament at Belgrade is not seriously troubled. Bills are often defended on the ground that they are required by the provisions of the Constitution and attacked on the assumption or pretense that they violate that fundamental law. Debates on this issue are not uncommon, but they are of little consequence because the courts cannot set aside statutes as conflicting with the higher law. Proposals are never rejected on the theory that the Parliament has no power to pass them. In the case of bills sponsored by the government, that is, practically all important legislation, it is generally assumed that the government has resolved questions of legality, should such have arisen. If, as so often happens in America, the opposition flies to the Constitution as to the Ark of

the Covenant for the purpose of embarrassing the government, nobody labors under the impression that anything will result from this line of attack.

In matters of purely legal technicality—clearness of expression, adaptation to previous legislation, and conformity to the precise ends in mind—the Parliament in Belgrade has little expert assistance. Funds are available for the employment of specialists and they may be used by committees in charge of bills. But there is no permanent bill-drafting agency with library equipment and specialists in the technology of lawmaking.

To some extent the disadvantages of this neglect are offset by the fact that the most important bills come from the various ministries which have expert assistance in drafting their measures. Yet this does not always assure competence. As a result, laws are often illogically arranged, confused in style, and vague in language. Parliament frequently finds itself engaged in correcting past errors. Since it is handicapped in efficient procedure by party divisions, it constantly resorts to the practice of putting corrections of mistakes into financial bills—a practice akin to that of attaching riders to appropriation bills in the United States.

However, owing to the fact that there is relatively little special legislation, that is, few private member bills and appropriations for local interests, deficiencies in technical bill-drafting are not very serious. Everything is in the hands of the cabinet. The private member has no chance of receiving consideration unless he makes terms with that body. If he does, responsibility

passes to the ministry. Hence there is little "freak" and "trick" legislation such as may be found in the history of American law-making. There are, it is true, some appropriations in behalf of local interests, but these are neatly covered in the budget with the mantle of regularity.

Powerful as the ministry seems to be in the direction of affairs in the National Assembly, its legislative record is strangely barren. Great issues—land reform, law consolidation, mining and forestry administration, commercial legislation, and other matters equally significant—have long awaited action in Parliament. Apart from the annual budget, without which the members do not get authorizations for their pay, and from tax legislation necessary to make it effective, ten years of parliamentary activity have produced little fruit.

Ministers attribute the result to the incapacity of Parliament; legislators ascribe the paralysis to the lack of ministerial ability and courage. Mere foreign observers find it difficult to render any judgment in the case. They can only record that a very large part of the significant legislation, putting the new government into practical operation, has taken the form of ministerial decrees, sanctioned by Parliament under Articles of the Constitution contemplating such an emergency and authorizing a special procedure calculated to expedite, indeed to compel, action. They may be inclined to add that until there arises in the country a political party bent upon a definite program of laws and commanding a majority sufficient to carry it into effect, neither the Parliament nor the ministry will

escape the thrall of inaction that binds it to endless but futile debate.[2]

§

It is the very ineptitude for legislative work that is responsible for the lively criticism of parliamentary government encountered in various circles in Yugoslavia and for the many proposals for an "economic parliament" that have been advanced from time to time. Indeed, far-sighted members of the constitutional convention realized, from general European experience and the experience of Serbia in particular, that a mere political assembly was likely to be palsied by debate. They were familiar with the literature of criticism. At the time the Constitution was drafted, the air was charged with distrust of parliamentary institutions, based on the conviction that they were incapable of dealing with the pressing and difficult problems of modern life. Hence in more than one plan advanced for consideration by the constituent assembly, there were suggestions for the recognition of economic associations in the formation of the National Parliament. None of the projects was realized, but in

[2] This paragraph was written before the shooting affair in the Parliament on June 20, 1928, which resulted in the death of three deputies, including Mr. Paul Raditch, and later, after a lingering illness, his uncle Mr. Stephen Raditch, leader of the Croatian Peasant party. When the Croatian delegation withdrew and Dr. Koroshetz formed a new cabinet, the government soon pressed through the ratification of the Nettuno conventions with Italy (August 12, 1928) and announced that it would proceed with its program of legislation, including a decentralization in administration. During the remainder of the year the Croatian delegation abstained from coöperation and on January 1, 1929, the fall of the Korshetz ministry was announced. A military dictatorship followed.

the end the convention adopted Article 44 which provides that "for the framing of social and economic legislation the economic council is created. Its regulations, duties, and competence will be determined by law."

For a long time nothing material was done to carry the provision into effect, partly on account of the fact, perhaps, that an economic council established in the Kingdom of Serbia under a law of 1891 proved to be powerless in action. It is true that the Ministry of Trade and Industry did organize an economic chamber in April, 1920, at least on paper, but no steps were taken to make it a living instrument of government. It was not until later, when a prolonged business and agricultural crisis fell upon the country, that men of affairs within the government and outside came to the conclusion that an economic council might prove useful in advising the political Parliament and in obtaining the enactment of long-debated legislation. In 1925, the Ministry of Trade and Industry prepared a new bill on the subject and invited representatives of chambers of commerce and other professional agencies to assist in the perfection of the project. In the meantime, business and craft associations gave attention to the matter and held three national conferences on the subject. As a result of these activities two schemes were laid before the country at the close of 1927.[3]

[3] They were analyzed and compared in an excellent article by Professor I. Taubert, published in the Belgrade *Economic Review* for December of that year. Professor Taubert's article is used as the basis of this statement.

On certain vital principles, the two projects differ radically. In the first place, the government draft proposes to set up the economic council within the Ministry of Trade and Industry, while the plan formulated by business and craft associations contemplates autonomy for the council. In the second place, the latter project, going beyond the limits set by the government, would give the economic parliament "the right to participate in the work of international institutions and in commissions charged with drawing up economic and social conventions with other states and in the execution of peace treaties and debates on war reparations."

With varying emphasis, both plans provide for the representation of all substantial economic associations in the country. That of the government fixes the number of members at one hundred and twenty, assigns thirty-two seats to agriculture and agricultural coöperative societies, sixteen to commerce, sixteen to industry, sixteen to crafts, twelve to banks and bourses, five to shipping, seven to workers organizations, and sixteen to specialists in economic, social, and financial policies. The plan of the business and craft associations would give eight members to the engineering profession. Unlike the German project, neither would grant representation to the consumers as such. Both, however, provide for a thorough organization of the economic parliament with a president, a secretariat, working committees, and periodical assemblies, and give it the right to initiate legislative measures, lay them before the National Assembly, and defend them

through competent agencies. Like many other important bills pending before the political Parliament at the opening of 1928, the projects for an economic council awaited legislative action. Whether Parliament would permit the creation of a possible rival remained one of the uncertainties of Yugoslav politics.

CHAPTER VI

THE POLITICAL PARTIES

"What is the difference between the Radicals and the Democrats?" asked an American observer at a luncheon party attended by members of Parliament representing practically all phases of Yugoslav life.

"What is the difference between the Republicans and the Democrats in the United States?" parried one parliamentarian, evoking a burst of laughter around the table.

"The Radicals are conservative and the Democrats are radical," replied another, amid approving nods which indicated a belief that the speaker had hit somewhere near the mark.

"The Radicals are fundamentally Serbian and the Democrats are Yugoslav," responded a third member of Parliament.

"Radicals appeal mainly to peasant voters and Democrats to business men; both parties are directed by professional statesmen—or politicians if you prefer —who do not differ violently among themselves," added a fourth, with an air of realism.

"There is no basic difference between the parties," grunted a fifth; "the country is beset by factions nursing historic grievances, by sectional machines, and by personal cliques. They are all seeking government

jobs and trying to put through special legislation. The greatest service that anyone could render this country would be to abolish these blocs and substitute two great parties, one progressive and the other conservative, one in power and the other acting as a check on its rapacity."

In short, a discussion of politics in Belgrade runs in familiar channels. There is uncertainty as to the causes of parties and the reasons for their differences of opinion. There is agreement that no clear-cut, fundamental issues of public policy divide the several parties and factions which struggle for place and power in the state. Everywhere are heard expressions of discontent respecting the sterility in government which is due to the fact that each ministry is a coalition of fragments. Lurking behind all such speculations is a fear that the futility due to the rivalries and bickerings of many parties and cliques will soon discredit the parliamentary system and the whole democratic experiment under the Constitution of 1921, leading through disgust to a dictatorship of the left or the right.

Is this fear strong enough to produce a coalescence, a sinking of historic differences, a merger of factions into two great parties? As yet no signs of such a union appear in the political omens. Is it possible by taking thought or resorting to any kind of reasonable expedient to transform a multiple party chaos into a two party system? Is the two-party scheme, so famous in the history of England and the United States, due to some deliberate human arrangement, to a hidden political genius of the people, or to what may be called historical accidents? No satisfactory answer is forthcoming. No doubt the division of the field into two

parties has been due, both in England and America, in a large measure to the antagonism between agriculture and capitalism, and it remains to be seen whether, with the steadily advancing triumph of the latter, the bi-party division will not break up. Indeed, for practical legislative purposes it is more of a fiction than a reality in both countries; seldom indeed is a bill carried through the Parliament at Westminster or the Congress at Washington by a solid party vote. Beneath the smooth exterior of the English and American parties exist numerous factions, many gradations from right to left. Nevertheless in both countries the great party machine composed of job holders, seekers after jobs, and beneficiaries, well sustained by money from interested sources, keeps factions within bounds by rigorous discipline—social, political, and economic. The construction of such a machine is a practical art and is accompanied by evils almost as great as the paralysis that so often plagues Continental countries. Yet where constructive action is imperative, as in Yugoslavia, the advantages of power, decision, continuity, and speed might more than outweigh the evils that accompany the bi-party system.

Whatever may be the conclusion on this point, it is certain that any practical philosophy of Yugoslav politics must be evolved from a study of the existing parties, in their historical origin and setting. Taking them up in the order of their strength we may begin with the Radicals.

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Though formally founded in 1881, the Radical party is the oldest political organization operating in Bel-

grade. Its roots, as Wendel shows in his book, *Aus der Welt der Südslawen,* run far back into the agitations begun by Svetozar Markovitch, in the early seventies. Born in 1846 and educated at Kragujevac and Belgrade, Markovitch pursued his advanced studies at St. Petersburg where he came into contact with revolutionary secret societies and became attached to the idealistic socialism of Tschernischevsky, who leaned to John Stuart Mill rather than to Marx. From Petersburg, Markovitch went to the Polytechnical School in Zürich where he fell under the influence of German socialism, including the Marxian direction.

In the end, however, Markovitch clung to the Russian gospel and formulated a system for Serbia which contemplated escaping the capitalist stage of civilization entirely. Holding that Marxian socialism rested solely upon the capitalist-labor relation, which hardly existed anywhere in Serbia, he proposed to retain the communistic family system of the *zadruga,* or household community, and escape all the evils of poverty and prostitution associated with the separation of the worker from his tools in the West. Following the doctrines of Bakunin and Proudhon, he pictured a future society of free self-governing communistic villages, substantially independent economically and unvexed by the taxes, laws, and wars of a centralized state. From his return to Serbia in 1870 until his death five years later, Markovitch carried on an active agitation, reaching intellectual circles on all sides and raising up a small group of peasant leaders in the national assembly.

From the agrarian-socialist seed sown by Marko-

vitch sprang the Radical party, formally organized in 1881, during the period of great discontent with the personal tyranny of Milan Obrenovitch. Associated with it in the earliest days was a young man destined to rank high among the makers of modern Europe, Nicholas Pashitch. Born in Serbia in 1841 or 1845, Pashitch was also educated at Zürich where he came under the spell of the revolutionists there in exile, especially Bakunin, the exponent of communal anarchy. Not long after his return home, Pashitch was caught in the popular agitations then stirring the country and, in 1883, only saved his head by escaping in the night across the Sava with the aid of an engineer engaged in building a bridge over that river. Such was the early career of the young revolutionary fated to lead the Radicals for more than forty years through some of the most amazing political adventures ever granted to any political organization.

Inspired from such sources, it is not surprising that the Radicals started their enterprise by espousing doctrines appropriate to their name. In their first program they included the abolition of the standing army, the transfer of all political power to the Parliament, and direct income and property taxes—a government of the people, by the people, and for the people, appealing to the peasants against the bureaucracy and the mercantile classes such as there were. But before they had advanced far on their path, they were drawn into international politics inevitably, owing to the precarious position of their country, and quite naturally into the Russian current of negotiations, with all the political and financial implications thereunto appended.

During the long course of their development, the Radicals became more and more conservative. Attaining parliamentary power in Serbia, they gradually got into their hands most of the important government offices; then they became less critical of the bureaucracy. Having control over the national administration, they drew to their side strong support from the urban middle class—merchants, contractors, lawyers, and industrialists. In possession of the government—almost unbroken after 1903—they dropped the old language of criticism and took up the phraseology of law and order. Having advocated and secured the adoption of parliamentary government, they could not see the propriety of any change in the system when established. Having long promoted the unification of the Southern Slavs and having attained their goal, they naturally looked with disfavor upon all attempts to unsettle the new arrangements formed in 1918. Supported by peasants already the owners of land, they were vexed by no problems of land reform in Serbia and could consistently advocate the creation of an independent peasantry in the other sections of the kingdom, but with full compensation to the great landlords. Thus by an easy process the Radicals arrived at a simple program: maintenance of the Constitution of 1921 with the centralized administration provided by it; maintenance of law and order under parliamentary government; consolidation of government; promotion of business enterprise; prosperity with preparation for eventualities. Today, as of old, the Radicals have their main stronghold in Serbia; to members of Parliament from that section they add representatives from

Voivodina and Bosnia with some scattered delegates from Croatia, Dalmatia, and Montenegro.

From top to bottom the Radical party is closely organized in accordance with its by-laws formally adopted and party customs sanctioned by usage. The purpose of the organization, as stated in the official formula, is to carry out the party's program and to aid in the material, mental, and moral development of the nation. In the accomplishment of its purposes, the party will use all legal, cultural, and moral means at its disposal. It will spread its principles through newspapers and books, by the creation of libraries and clubs, public lectures and mass meetings, and will realize its principles through representatives elected to Parliament and to the various self-governing bodies. All citizens who accept the party program and declare themselves willing to submit to its discipline and to promote its purposes are entitled to membership and may be admitted by the nearest local committee, subject to review by the central committee. Once admitted, the member enjoys the rights and duties of his fellow members and is obliged to vote for the party candidates and obey the party decisions made in accord with the provisions of the by-laws.

At the head of the party stands the central committee with its seat in Belgrade. This committee consists of twenty-five members residing in the capital (chosen by the national convention of the party), one member from each parliamentary district selected by the district committee, and one member from each city which elects members of Parliament independently, chosen by the city committee. The term of service is

four years. On the day after it is chosen, the committee elects a president, two vice-presidents, and the usual administrative officers. The president of the committee is the head of the national party. For ordinary working purposes, there is an executive committee duly chosen by the central committee, composed of members residing in the capital.

In the hands of the central committee is the direction of the national party organization. It executes the decisions of the party convention held every four years. It supervises party publications, formulates the budget, mediates between local committees, calls party conventions, holds meetings monthly, or oftener if necessary, and expels party members by a two-thirds vote.

At the side of the central committee and, for practical purposes, more powerful is the parliamentary club of the Radical party. This organization consists of all members of the party in Parliament; members of the central committee who do not have seats may attend its meetings without voting privileges. According to the party rules, the club must consider all important issues and, when Parliament is in session, it takes over the political work of the central committee. At its meetings minutes are kept and decisions are made by majority vote of those present. In favor of every measure so carried by majority vote are registered the names of all party members absent from the club meeting. While the central committee is expressly responsible to the national party convention for its acts, the parliamentary club enjoys in theory and fact a substantial independence as over against that high

sovereign body. Meeting continuously while Parliament is in session, possessing offices and political power, it cannot be brought to book effectively by an assembly which is convened only once in four years and is confined mainly to the functions of making speeches, passing resolutions, and electing committeemen.

Yet the rules of the party solemnly declare that "the supreme power of the party is vested in the National Radical Congress." This convention assembles every four years and on call of the central committee. It consists of all the members of the central committee, all active Radical ministers, all party members of Parliament, the presidents of the parliamentary district committees, a representative from each *srez* or county committee elected by the committee, and representatives from cities based on the number of members of Parliament respectively sent by them. Among the duties of the convention are the formulation of the party program of principles, the scrutiny of the treasurer's report, the survey of the central committee's report, the amendment of by-laws, and the selection of certain members to serve on the central committee as already stated.

For the purpose of managing local affairs and nominating candidates, local committees and conventions are authorized by the party rules. In the *opshtina* or commune, the city, and the *srez,* the conventions are open assemblies which may be attended by all members of the party in the district concerned. Besides nominating candidates, these conventions select members of the committees for the respective regions. In other words, we find here the old-fashioned American cau-

cus, composed of party members who are interested enough to take part in its proceedings; in practice, largely professional workers, except in times of special excitement.

In the parliamentary district, a regular convention is instituted. It is composed of the president and vice-president of the district committee, all members of the committee, the president and vice-president of each *opshtina* committee in the district, all party members of Parliament from the district, and representatives of the national or central committee if sent by that body. In coöperation with the national or central committee, the parliamentary convention selects the leader for the parliamentary list and arranges the order of the *srez* candidates on the list, in accordance with certain fixed principles, unless otherwise decided.[1] Candidates must accept the decision of the convention or incur the liability of exclusion from the list. When arranged, the list is sent by the convention to the appropriate legal authorities for registration. No other list can be presented in the name of the party.

Functioning nominally as agents of the party conventions but, in fact, as directing authorities are the committees for the respective political districts. In each *opshtina* where there are ten or more party members, there is a local committee chosen for four years at an *opshtina* caucus or convention, and consisting of at least five members. It chooses its own officials, holds meetings, and reports its transactions to superior committees. In cities, there is a complicated system of committees and sub-committees. At the seat of each

[1] See above, p. 81.

srez there is a committee for the *srez* which prepares lists of candidates for office, calls the convention at the appropriate time, and submits to it the list so prepared.

For the parliamentary district, the committee is an *ex officio* body, consisting of all party members of Parliament from the district and the president and vice-president of each *srez* committee and each city committee in the district. It is the duty of this committee to select the member from the district to serve on the central committee, to decide upon the number of candidates to be presented in the district, and with the consent of the national or central committee to arrange the list of candidates to be laid before the district convention described above.

According to the rules, the party derives its financial support from the profits of entertainments and lectures, the sale of pamphlets and books, private contributions to be distributed between the central and local party organs, and donations from members of Parliament as decided by the parliamentary club of the party.

§

Springing from a split in the ranks of the Radicals, created in 1901, when the independents, or young Radicals, broke out in impatience against the conservatism of the elders, the Democratic party is not set off against its leading opponent by a clear-cut difference of policy. Undoubtedly it betrays in its programs a little more sympathy with what may be called a liberal social policy: social and political equality for women, regulation of economic enterprise in the general interest,

and protection of labor against the evils of capitalistic exploitation. On the question of land reform, it is a little more outspoken in favor of the creation of an independent peasantry by the dissolution of the great estates. With respect to centralization, the Democrats have attempted to take a position between the two extremes, advocating the name Yugoslavia, instead of the Kingdom of the Serbs, Croats, and Slovenes as the official title for the young nation. Moderation and reconciliation have been its watchwords.

By drawing to their support members of the old Serbo-Croat coalition long dominant in the Zagreb Diet and a few followers from Bosnia and the other sections of the kingdom, as well as retaining their old base in Serbia, the Democrats became more national than the Radicals. In the constitutional election of 1920, they appeared at the head of the poll with 319,448 votes and ninety-two seats, as compared with 284,575 votes and ninety-one seats captured by the Radicals. For a time it looked as if the Democrats might capture the leadership in the new nation, but appearances were deceptive. In subsequent elections, they dropped to the second place, losing heavily in the campaign of 1923. Besides losses in the country at large, the Democrats were weakened by internal divisions. On the right wing, a group of Independents, headed by Svetozar Prebichevitch, laughed at "sentimental democracy" and called for authority, centralization, and the development of a powerful state "which will dominate Southeastern Europe." On the left, was a more liberal faction, headed by Ljuba Davidovitch, associated with the party from its foundation, the

advocate of modernism for the land, "freedom, justice, and equality."

For the concentration and expression of national party opinion and energies, the Democrats have four important agencies: the national convention, the supreme council, the central executive committee, and the parliamentary club.

The supreme organ of the party is the annual convention, composed of Democratic members of Parliament, the members of the supreme council, three representatives from each *oblast* (province) and each city committee, two delegates from each *srez*, the same number from each city ward, and the president and vice-president of the supreme council of the Young Men's Association. Except for the *ex officio* members, all delegates are chosen by the committees of their respective districts.

For the general direction of current affairs, there exists the supreme council which embraces the presidents of all *oblast* committees, twenty-four members elected by the annual convention, twenty-four delegates from the parliamentary club of the party, one member from each city committee, the president and vice-president of the Young Men's Association, and the president of the party. At least one-half of the supreme council must be residents of Belgrade.

Continuous management of party interests is vested in the central executive committee, consisting of twelve persons, elected by the supreme council from among its membership. Eight members of the committee must be residents in Belgrade and the committee is required to meet fortnightly.

The fourth agency is the parliamentary club of the party, composed of all members of the party in the National Assembly. As indicated in another connection, the club directs the affairs of the party in Parliament and is responsible to the party for its measures and actions. The president of the party, the vice-president, and the secretary are *ex officio* members of the club whether they have seats in Parliament or not. According to an amendment to party by-laws adopted in 1928, members of the supreme council may attend meetings of the club without enjoying the right to participate.

Since, as we have said above, the national convention is the supreme organ of the party in theory and speaks continuously through its permanent agencies, the question of its relation to the parliamentary club is of vital importance to party unity and strength. It was debated at great length at the convention of 1928. A peasant delegate from the neighborhood of Belgrade, in the course of some general remarks, asserted that the supreme forum of the party was the parliamentary club. But to this assertion, the president of the convention, Mr. Davidovitch, replied emphatically that "The supreme forum of the party is the convention"—a contention which was greeted with a storm of applause from a large majority of the delegates. As if to reinforce this declaration, the convention amended the rules of the party and gave members of the supreme council seats without votes in the parliamentary club. In adjourning, the convention gave also full powers to the president of the supreme council, Mr. Davidovitch, authorizing him to take all measures necessary

to realize the principles of the party in forming political and parliamentary combinations.

This conclusion seemed definite, but notes of discord were also sounded. Touching this issue of party responsibility, Mr. Marinkovitch, then sitting in the cabinet as a Democrat, declared that he and his Democratic colleagues in the ministry did not hold their places at their mere pleasure, but in the name of the party. "They are responsible," he continued, "to the competent assemblies of the party to which belong the right to pass upon their participation in the government. They yield always to the decisions of those assemblies." Thus he adroitly avoided the question of sovereignty in the party by referring to "assemblies" not to any particular "assembly."

In reality the minister's statement conformed to the confusion of the situation. It was easy to declare the annual convention supreme, and to vest plenary powers in the supreme council and the executive committee, but to enforce the declaration is another matter. The convention is a transitory body without immediate responsibility. The parliamentary club is composed of active members of the National Assembly; it holds almost daily sessions during the meetings of Parliament; more than any other party agency it is responsible for ousting and reconstructing ministries. Cabinet posts are commanded by it, with all the honors and emoluments attached. The principles of the party are vague and open to various interpretations, affording no precise guidance on any issue before Parliament. It would be strange, therefore, if the club should regard itself bound by pious expressions of

opinion from the national convention or any of its agencies. As a matter of fact it does not.

The basic unit of the Democratic party is the *opshtina* or commune committee. In every *opshtina* in which there are twenty party members, there is a local committee with a membership ranging from ten to fifteen. If the party strength in any *opshtina* does not warrant the establishment of a committee, then an agent is appointed to take charge of party affairs in the region and attempt to secure enough members to warrant the organization of a committee. If a commune has more than one village, then each village may have a subcommittee of its own and representation on the commune committee based upon its party strength.

Above the *opshtina* committee stands the committee of the *srez,* or county—an administrative district composed of many communes. This committee of the second instance is composed of the president and one delegate from each *opshtina* committee, the party member of Parliament from the *srez,* if there is one, the party members of the *oblast* assembly from that *srez,* and also the party members of the *srez* assembly.[3] In other words the active political leaders from official circles are associated with the lay members of the *srez* organizations.

Crowning the local scheme of committees is the *oblast,* or provincial committee—one for each of the thirty-three administrative regions into which the kingdom is divided. It consists of all Democratic members of Parliament from the province, all party

[3] This assembly is not yet organized outside of Serbia (1928).

members of the provincial assembly, the president, vice-president, and secretary of the committee of the party in the capital city of the province, and the president and one delegate from each *srez,* or county, committee. Cities which constitute parliamentary election districts have local, or ward, committees and also a central committee based on the representative principle.

Membership in the Democratic party is defined by rules. All adult citizens, men and women, who agree to work in the interests of the party are eligible and the right to admit them to membership is vested in the commune, or *opshtina,* committee, subject to appeal to higher committees. By explicit provisions the rights and duties of members are defined. Members may attend meetings, vote and hold office in the party, receive help if persecuted for their party activities, obtain advice from the party agencies created for that purpose, and, if in the interest of the party, defend themselves through the organs of the party. It is the duty of members to spread and defend the ideals of the party, to guard its honor, gather new members, aid the press, share in its activities, and assist financially. Those who break the rules of the party and defy its discipline may be expelled by a two-thirds vote of the local committee, with the right to appeal.

For the purpose of selecting Democratic candidates for Parliament and various local positions, regular party conventions are instituted by rules and customs. In the parliamentary district, for example, the nominating convention which chooses the leader of the

Democratic list is called by the president of the district committee within three weeks after the notice of a new election. This convention consists of the president, vice-president, and secretary of the district committee, all Democratic members of Parliament for the district, the president of each *srez* committee, the president of each *opshtina* committee, and delegates from each *opshtina* apportioned on the basis of one member for every fifty votes cast for the party in the community. Local delegates are chosen at local party conventions. For the selection of parliamentary candidates in each *srez,* there is instituted a delegate convention composed partly of *ex officio* members and partly of delegates from each *opshtina* apportioned on the rule of one representative for every fifty party voters.

Funds for the maintenance of the Democratic party are derived from levies upon members, one *dinar* a year each, the earnings of the press, contributions by individuals, contributions by members of Parliament and ministers as directed by the party club, the sale of membership cards, and local contributions by members to their respective committees.

§

Springing out of the Christian Social party, formed as a Catholic political organization in opposition to the German control at Vienna, the Slovenian Populist party is the one purely clerical faction functioning at Belgrade. Deriving its support from a land which has, besides its peasantry, well-developed industrial classes numbering about one-third of the entire population, the Populist party combines agrarianism with social

reform. As there are relatively few large estates in Slovenia, the land question is not a burning issue; so far as the peasants are concerned the party is primarily interested in the promotion of coöperative societies and the maintenance of clerical control over the rural schools. Yielding to the spirit of advanced industrial societies, it advocates woman suffrage, protective labor legislation, an eight-hour day, and the humane administration of the laws. It has a constituency which boasts that its illiteracy is only fourteen per cent as against an average of about fifty per cent for the Kingdom.

Long accustomed to the rôle of opposition at Vienna, resisting the advance of the bourgeoisie and the process of Germanization, the Slovenes have been constantly tenacious of their local rights. In the battle over the Constitution in 1920-21, they demanded full autonomy, a local legislature, and complete financial sovereignty. Ably led by Dr. Anton Koroshetz, a seasoned parliamentarian of clerical training, the party insisted on assuming at Belgrade the same function of opposition with which it was so familiar at Vienna. When at length the Croatian Peasant party, headed by Stephen Raditch, went over to the Pashitch government, reducing the chances of amending the Constitution in a federal direction, the Populists saw the futility of further abstinence. Making the best of the inevitable, Dr. Koroshetz expressed a willingness to coöperate also on certain terms, especially control over the nomination of administrative officials in Slovenia. Joining first the Uzunovitch cabinet and then the Vukichevitch cabinet in 1927, the Populists gave steady support to

the combination headed by Radicals. At last, after the crisis caused by the shooting affray in Parliament in 1928, Dr. Koroshetz was elevated to the post of prime minister.

United by the religious bond, the Moslems of Yugoslavia numbering one million three hundred thousand, centering mainly in Bosnia and Herzegovina, try to hold together for political purposes in the Yugoslav Moslem party. And on some occasions the cry, "Islam is in danger; Moslems to the front," yields the expected result at the ballot box. To the constitutional convention of 1920, they sent a delegation of twenty-four members bent on securing religious equality, sectional autonomy, and certain adjustments in land reform. As already indicated, they were largely successful. If they lost the battle for federalism, they secured protection for their religion and their law. In exchange for their votes in favor of the Radical project for a constitution, they obtained for the landlords of Bosnia and Herzegovina a lump-sum settlement for the land taken from them—part cash and part bonds. Though not satisfactory, the settlement was accepted on the theory that half a loaf is better than none.

Apparently presenting a solid front under the banner of Islam, the Moslems are in reality not solidly united. At their head are the landlords who saved enough from the revolution to maintain their influence as a class. In all matters touching their interests, they stand as one man. But nine-tenths of the Moslems are peasants, merchants, artisans, and laborers, who are by no means sure that their "natural leaders" are to be accepted without question. While the party machine

has negotiated with the Radicals, the Croatian Peasant party, and the Democrats in turn, without making a firm union with any of them, there are signs of conflict within the party—between the management directed by the landlords and the rank and file having different economic interests. Now that it is evident that neither branch of the Christian church is to dominate the country, it is likely that economic rather than religious issues will engage the attention of the party members. At all events, its number of seats in Parliament declined from twenty-four in 1920 to fifteen in 1925, and stood at eighteen after the election of 1927. Such intransigence as it once showed has abated, and its spokesmen vie with other parliamentary leaders in Belgrade in contests over the distribution of government portfolios.

§

Like the Slovenian Populists at Vienna, the Croatian leaders at Budapest and Zagreb had been long accustomed to the function of opposition—the defence of local autonomy against the dominance of an alien race.[8] But there was a difference, as hinted above. In Slovenia, the mass of the adult males had for several years enjoyed the right to vote for members of parliament, while the mass of the Croatian peasants had no voice in the elections for the Zagreb Diet and the spokesmen sent to the Hungarian parliament from Croatia represented a narrow constituency. For the political leaders, and perhaps for the masses, the ideal for many years had been the formation of an inde-

[8] See above, p. 16.

pendent self-governing kingdom under the Hapsburg dynasty.

When the collapse of the Austro-Hungarian monarchy came and union with Serbia was the issue of the hour, a powerful revolutionary movement ran throughout Croatia and Slavonia. From the oppressed and land-hungry peasants, a cry went up against the great landlords, and could not be stilled. Most of them were totally illiterate but they made their voices heard above the tumult of those tempestuous days. Far and wide among them ran vague ideas about founding a peasant republic and imitating in some measure at least the radical actions of the Russian peasants. It became evident from violent agitations that some land would have to be given to the peasants and their lot in the world improved by measures of reform. At the Zagreb national conference,[4] the leader of the Croatian peasants, Stephen Raditch, gave voice to their aspirations: local autonomy, land reform, a republican constitution, and a peasant democracy.

In the constitutional election of 1920, the Croatian Peasant party captured fifty seats and stood just below the communists as the fourth party on the list. With the rise and growth of this party, its outstanding leader, Mr. Stephen Raditch was so closely identified that the record of his political career contains the history of his party.[5] Becoming in his youth an ardent champion of his race, Raditch came into collision with the Hungarian authorities and was more than once put into jail for his agitations. Later he reached the con-

[4] See above, p. 33.

[5] For his autobiography, see *Current History* for October, 1928.

clusion that his ideal could be realized by the formation of a Croatian kingdom under Hapsburg auspices on an equal footing with Hungary and Austria. In the Zagreb conference of 1918, he put forward another program and opposed joining Serbia on the terms adopted by the majority of the convention. At that time, the disfranchised peasants, whom he later organized into a powerful agrarian party, had not yet officially spoken and it had been given only a slight representation in the provisional assembly at the Croatian capital. Discontented with the conditions of unity later reached by the Zagreb delegation and the Prince Regent, Alexander, Mr. Raditch appealed to President Wilson to support the establishment of an independent Croatian peasant republic, and was sent to prison by the government of the Kingdom as a menace to the security of the state. Released after several months of penal servitude, he still refused to bow his head to the new order and continued to speak of the "absolute monarchy of the Karageorges" and the danger of "Serbian militarism," referring in sharp terms to the occupation of Croatia by Serbian troops. For this insubordination, Raditch was again imprisoned after a few weeks of liberty and remained behind the bars until the constitutional election of 1920 once more set him free.

With the proceedings relative to the formation of the new Constitution, Raditch was thoroughly dissatisfied. He and his bloc abstained from voting on the project proposed by the government and united with other dissidents in protesting to the civilized world against the manner in which the Constitution

was adopted "against the will of the Croatian nation." Although the Peasant party won seventy-one seats in the first election under the Constitution, it refused to collaborate with the Belgrade Parliament and continued to follow the policy of abstention. Now powerless at home, Raditch made a journey abroad, visiting England and then Soviet Russia, where he dallied with the idea of a grand union of soviet republics in Southeastern Europe. Shortly after his return, he was arrested again, in January, 1925, and the police seized, at his house, notes alleged to bear on understandings with the Third International and with popular leaders in Bulgaria and Hungary. By this time, however, the Croatian Peasant party had definitely given up the policy of non-coöperation and voted in favor of claiming their seats in the National Assembly at Belgrade.

At this juncture, the veteran Serbian statesman, Nicholas Pashitch, turned to measures of conciliation, and on November 18, 1925, the world was astonished to hear that Stephen Raditch, in the capacity of Minister of Instruction, had entered the cabinet headed by Pashitch, and had taken the oath to support the Constitution. Graciously received by the King, the new Minister left the Palace with a shout for the sovereign of the united Serbs, Croats, and Slovenes. Yet it could hardly be said that Raditch was subdued entirely to Belgrade politics. He was soon at odds with his chief over charges of corruption and in April of the following year was out of the cabinet. Invited to join the new Radical government, he accepted, but before long he severely criticized a colleague on the ministerial bench and lost his portfolio. Now in the

opposition, he played his rôle with the usual gusto, criticizing the Radicals without mercy and insisting still that "The Croats must take their fate in their own hands," to use the language of a speech delivered in Zagreb, on January 8, 1928. But in spite of the independent temper thus displayed, Raditch had evidently become thoroughly reconciled to the Karageorgevitch dynasty, the monarchy, and unity. So high was his standing at the opening of 1928, that King Alexander offered him the mandate to form a new cabinet when the Vukichevitch government fell in February.

In a long interview with the authors of this volume, Mr. Raditch at that time made a definite statement of his principles. First of all, he let it be known that he regarded the unity of the Yugoslavs as permanent. "Where could the Croats go," he said, "if they seceded from the Union? Could they stand alone? Hardly, against such powerful neighbors. To Italy or to Hungary? That is unthinkable. No, national unity is established." But at the same time he emphasized his objections to the centralized system and expounded the historic difference between the several sections, which made federalism in some form appear highly desirable. Taking up the third question, land reform, Mr. Raditch distinctly repudiated all communistic leanings. He not only favored full compensation to former owners for all land taken, but he condemned in severe language expropriation without their consent. Especially did he express sympathy with the richer peasants who had accumulated large holdings by years of saving, and were compelled to surrender a part of their estates. He declared that land reform and land subdivision should

be left entirely to private negotiation without government intervention. Such were the views of the idolized leader of the Croatian Peasant party a few months before an assassin's bullet put an end to his long and exciting political career.

The original principles of Mr. Raditch's Croatian Peasant party are to be found in the program of 1921. This document, formulated at a party convention in Zagreb, was officially published in June of that year. Later it was literally translated into German under party auspices and issued with an appendix by Mr. Raditch, dated January 16, 1923, dealing with the relations of Croats and Germans.[6] In the scheme of government and principles of economy laid down in this document are to be found most of the roots of opposition between Croatia and the other parts of the Yugoslav Kingdom. Although the party members who drafted the program changed their tactics under the stress of circumstances, it may be presumed that their former sympathies and convictions have not disappeared. If the document has little or no binding force today, it none the less represents the spirit and political philosophy of the Croatian Peasant party founded by Stephen Raditch.

First of all, according to the program, peasant government, especially in Croatia, is to be republican. At the head stands a president, elected by popular vote, responsible only to the people, and subject to recall on a petition of voters or a resolution passed by two-thirds of parliament. The president appoints the members

[6] *Grundlehre oder Programm der Kroatischen Republikanischen Bauern-Partei.* Zagreb, no date.

of his cabinet, taking them either from parliament or private life, and he dismisses them at will, presumably without accounting to dominant parties in the legislature.

In the express terms of the program, the peasant republic is democratic. Popular sovereignty is proclaimed; it is complete and operates continuously; it is exercised by the people through the plebiscite, the initiative, referendum, and recall, with respect to all branches of government and all activities except those judicial in character. By referendum the boundaries of the state and its internal structure may be determined. Subject to fixed principles of constitutional democracy, the chosen representatives of the people, elected by majority rule, are to decide affairs of state. Conventions for making constitutions and the ordinary national assembly for law-making purposes are to be elected by popular vote—universal suffrage without any distinctions of sex—subject to principles of proportional representation. For constitutional and statutory purposes the initiative and referendum may be invoked. No laws making treaties with other countries, authorizing loans, changing the relations of landed property and inheritance, can be made without first referring them to the people. Throughout, the doctrine of majority rule is applied.

Besides being republican and democratic, the peasant republic is essentially an economic organism. The general duty to work is laid on all and the right to a decent human existence is assured; the details are to be evolved by legislation. The foundation of all industry is peasant economy. Great forests now owned by

the state, the church, and private landlords are to be transformed into property of the people, to be used in satisfying their needs. All great landed estates, whether public, private, or clerical, are to be dissolved, at least in principle, with compensation regulated according to the method by which each was acquired. No landed estate can be larger than the largest peasant holding in the same county—an obvious recognition of the power and place of prosperous peasants in the new scheme. No tariff duties are to be laid, except on luxuries. The monetary system is to be shaped to the requirements of production. Incapacity and old age insurance provide for those who of necessity fall out of the ranks of labor. Industrial workers are vaguely recognized and special statutes are to regulate their interests. Great capitalism, international finance, railways, natural resources, nation-wide business enterprise do not appear in the picture at all. The economy of the peasant republic is the economy of the rural commune.

Republican, democratic, and economic, the peasant state is also a cultural organization. Religion in general, and Christianity in particular, is the foundation of the moral order. Freedom of religious association and teaching is assured. The education of boys and girls is a universal obligation. Culture and the practical arts are to be combined. Gymnasia are to be transformed into folk schools for general purposes, and the universities are to be abolished to make room for scientific institutes. Medicine is to be democratized through a public-health program assuring assistance for the poorest. Human rights are proclaimed. Per-

sonal liberty is guaranteed. Freedom of press and meeting, freedom of association, freedom of movement, secrecy of the post, inviolability of the home, equality of men and women in all rights are assured. The family, as the prime factor in promoting an honorable education for life and labor, is to receive full protection and the peasant home of the old type (the ancient community household or *zadruga*) is to be brought into harmony with modern ideas by careful legislation. "The peasant Republic is a moral union of thinking beings."

To these general principles the structure of its government corresponds with noteworthy precision. The old division into political provinces, political districts, and political communes is abolished and an economic and cultural organization is substituted. Of the new structure the peasant homestead is the fundamental unit; that is, if it is a family homestead. The more numerous the family the more powerful it is, and its head, whether a man or woman, is to have as many votes in community affairs as the family has members. The basic unit for political purposes is the economic commune or union of such families effected by plebiscite, usually a village or union of villages.

Above the economic commune is the county, a free union of economic communes. All affairs, except national finance, foreign relations, defense, health, and commerce, belong to the county. Like the lowest subdivision, the economic commune, the county is autonomous within the limits of the law, and it cannot be made the agent of the central government. The national government must operate in the county

through its own technical agents. Both units of local administration—commune and county—are self-governing; they elect their own local assemblies, executive committees, and presiding officers. Cities are likewise to enjoy autonomy on the same basis as the county, in such a form that the urban workers, tradespeople, and other productive classes shall conduct their affairs on the principle of general, secret, and universal suffrage without distinction of sex.

On this autonomous base rests the national government: a president and vice-president and a parliament elected by universal suffrage. To this government are assigned enumerated powers relative to justice, national economy, education, public health, protection of the home and fatherland, foreign relations, and finance, to be administered by technicians appointed and dismissed by the president, but under the scrutiny of appropriate parliamentary committees. This government is to operate on a budget system. It is to be supported by a progressive, direct income tax, and no taxes are to be laid on the means of life: bread, meal, salt, milk, and petroleum. The judiciary is to be independent. The death sentence is abolished and apparently the courts are not to pass upon the constitutionality of statutes.

The peasant republic is above all pacific. It has the right to remain neutral in all international conflicts. It is to have no standing army; all citizens must defend the fatherland. Necessary military training is to be combined with useful industrial arts. Similar compulsory service may be prescribed for women on a referendum, but it must have due regard for their

health and be performed as near home as possible. There is to be no secret diplomacy, no secret treaties. The republic is to have no diplomatic representatives—only economic and cultural agents mainly charged with care for the health, welfare, and progress of the citizens abroad. Peace is to encompass the earth. "The peasant republic is a living organ of the great coöperative society of mankind which is slowly being transformed into a grand federative republic of the world."

A comparison of this program with the system of government prevailing in Serbia (and later throughout Yugoslavia) reveals fundamental antagonisms: a republic against a monarchy, a decentralized system of local self-government through elective officials against a highly centralized bureaucratic organization, a federation with neighboring republics (including Bulgaria) against a unitary constitutional kingdom. Committed thus to the democratic principle of the plebiscite and majority rule, the leader of the Croatian Peasant party was entirely logical when he declared null and void the action of the national revolutionary convention at Zagreb in October, 1918, on the ground that it had not been legally chosen but merely consisted of self-selected political leaders. From this premise he proceeded to the proposition that the union which this convention formed with Serbia was illegal and without warrant.

Although perhaps, as has been said, most Croatian peasants did not know the difference between a monarchy and a republic, although Mr Raditch later accepted the monarchy and coöperated with the unitary government, although the radicalism of the

Peasant party program was gradually shed under the pressure of experience, still it remains a fact that neither the spirit nor the program of the party has disappeared. Whether wise or not, whether impractical or not, the opinions and convictions which gave rise to the program or found expression in it yet live in one form or another—perhaps very attenuated in some sections—and constitute realities to be considered by the government at Belgrade. At all events, the program helps to explain the tenacity of the autonomist movement in Croatia.

§

Broadly speaking, the minor factions that have appeared from time to time in the National Assembly at Belgrade fall into two groups: the first are champions of a radical transformation in the economic system, while the second speak for the racial minorities included in the Kingdom. The first of these groups is again divided into three factions: agrarians, communists, and socialists.

Besides the Croatian Peasant party, which can hardly be classed as revolutionary in an economic sense, there were elected to the constituent assembly of 1920 at least four distinct agrarian fragments from Serbia, Bosnia, Dalmatia, and Slovenia respectively. Though differing somewhat among themselves, they united in a Peasants' Club, numbering in all thirty-nine members, speaking for about 150,000 voters. In a general way, their program may be summarized as follows: condemnation of capitalists and the bureaucracy as exploiters of the people, a call to the peasants

of the land to abandon their historic rôle as voting and tax-paying machines, the formation of a class parliament giving the peasants, as of right, at least three-fourths of the membership, the expropriation of the great landlords without compensation, promotion of scientific agriculture, development of agricultural industries and credit through coöperative societies, repudiation of socialism and also peasant particularism, such as the Croatian Peasant party, as pure demagogism, and the application of co-partnership as the solution for the urban capital-labor problem.

Naturally this rather thoroughgoing program frightened the governing classes and much political pressure was brought during the subsequent elections to reduce the agrarian factions, partly by propaganda and partly by accusing them of communistic principles. Moreover, as time passed, the great revolutionary wave which swept through Europe at the close of the World War subsided. For these and other reasons the number of agrarians in Parliament dropped to eleven in the election of 1923, to five in 1925, rising to ten in 1927. As the tempo of agrarian agitation died away, the zeal for agrarian reform abated in government circles until finally it reached the level of stagnation, leaving great questions unsettled.

Still more terrifying to the parties of law and order was the appearance of a large Communist party on the Moscow model, in the election of 1920. To the astonishment of observers not familiar with Slavonic communism, stemming from the ancient family system, and to many seasoned politicians in Yugoslavia, the communists polled 198,736 votes and won fifty-eight

seats in the constitutional convention. Although their vote was more widely distributed throughout the constituencies than that of any other party save the Radicals, their main strength was in the rural regions, not in the urban districts. It is true that they polled a large vote in Ljubljana, but their largest vote was in Montenegro, a land without great industries, railways, and cities—a land of small peasants and mountain herdsmen. In short, the communist movement was green, not red, and represented not an industrial proletariat educated in Marxism, but an illiterate peasantry suffering terrible hardships and demanding land in their own right.

Whatever its origin and inner reason, communism frightened the authorities at Belgrade, and a few days after the constitutional convention opened in December, 1920, the provisional government by decree dissolved communist organizations, closed their meeting places, and suspended their press. This drastic action was answered by acts of violence. The author of the decree was killed and an attempt was made to assassinate the Prince Regent. In response to these acts, the government, in August, 1921, carried through Parliament, by a vote of 190 to 54, a sweeping measure against extremists. This law suppressed the Communist party and forbade all communist, anarchist, and terrorist propaganda, all agitations designed to change the form of government, under pain of death or imprisonment at hard labor. It prescribed capital punishment for persons who attempted to kill officials of the state or politicians. It provided for the addition of a military contingent to the national police force and

imposed prison penalties on public employees who struck against the state. Finally it authorized the government to dissolve trade unions which transgressed their legal bounds and absolutely denied to communists the right to hold public mandates.

The effect of this action on the part of the government was immediate. From subsequent parliamentary elections, the communists were automatically excluded and they have had no representatives in the National Assembly since the dissolution of the constitutional convention. They are, however, still active, as the arrest and trial of a large group including many students, one professor, and a prominent journalist, in the winter of 1927-28 clearly demonstrated, but there is no way of estimating their actual strength. Doubtless the land reforms that have been effected have materially reduced it. At all events, it does not seem a serious menace to the established order.

Far older than the communist movement but offering no such opposition to the ruling parties is the National Social Democratic party. In Serbia, the socialist movement in fact dates back to the agitation begun in the seventies by Svetozar Markovitch, which flowered in the rise of the Radical party; its evolution can be traced in the pages of Wendel.[7] It was, however, in 1903 that the Social Democrats formally launched their organization—at a labor congress held in Belgrade—and took over the Erfurt program of the German socialists. In Croatia, Slovenia, and Bosnia, mainly under German influences, socialist groups appeared long before the great collapse of 1918. In

[7] *Aus der Welt der Südslawen,* pp. 161-225.

the constitutional election of 1920, the Social Democrats, with tickets in about one-third of the parliamentary districts, polled 46,792 votes and returned ten members to the convention. At the close of the following year, the several sectional fragments united in forming the Yugoslav Socialist party and started out, with high hopes, to effect a union of laborers in town and country. To their surprise, in the election of 1923, they won only two seats and in the next election not a single mandate. Recovering somewhat in 1927, they returned one member. In a land which is four-fifths agricultural and composed principally of land-owning farmers, the formulas of capitalistic socialism naturally do not make a wide appeal. Nor does the inefficiency shown by the enterprises already conducted by the state encourage additional experiments in state socialism.

Although the question of national minorities will be considered below in the chapter dealing with foreign relations, reference should be made, in connection with the political parties, to the representation of racial interests in Parliament. Without attempting to settle the interminable dispute over the exact number belonging to the several groups, it may be said with safety that there are Germans, Magyars, Turks, Albanians, Rumanians, Italians, Bulgars, Greeks, and "others" incorporated in the Yugoslav nation. High on the list in the order of numerical importance are the Germans, Magyars, Albanians, and Rumanians. The first of these groups according to official statistics of the Yugoslav government embraces 472,409 people; German calculations place the figure at above 700,000.

Rather closely settled, especially in Croatia and Slavonia and Voivodina, and preserving their language and culture, the Germans naturally seek to retain their racial rights, especially as guaranteed under the Paris settlement.

Accordingly they have drawn together in a party under the able leadership of Dr. Stephen Kraft, and have returned a few members to parliament at every election since 1923. Besides demanding the usual rights of minorities in connection with schools, religion, and civil affairs generally, the German party deals vigorously with the current administration of laws. For example, at a meeting held in Novi Sad on January 8, 1928, as reported in the Zagreb *Morgenblatt,* the party directors passed resolutions condemning the chicanery of the government in the establishment of local administration, inequality of taxes, and the interference of the Minister of the Interior with the meetings of the German Association for the League of Nations.

Politically the demands of the Germans can be succinctly summarized in the language of their program adopted in 1922. This program calls for economic and cultural self-determination, civil liberty, the right of people to choose local officials of their own nationality, permission to erect German schools under German auspices instead of state schools, and the use of the German language in the villages, towns, and districts of the German settlement. It would be a mistake, however, to state that the Germans are unanimous in support of their own minority party. On the contrary, many German workingmen insist on breaking

away from the well-to-do merchants, landlords, and peasants, who constitute the bulk of the racial organization, and on voting the Social Democratic ticket.

From time to time other racial minorities are represented in Parliament by delegates of their own. The Turks and Albanians of the South, for example, have a regular organization, of diminishing importance, which, though it often coöperates with the Radicals, maintains a certain independence of action. Among the other factions should be mentioned the Rumanians and the Magyars, who strive to maintain political as well as cultural unity by sending members to the National Assembly in Belgrade, but they are not numerically strong enough to exercise any appreciable influence on the course of the government.

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In practice, whatever may be the theory, the local committees and conventions of all the major parties are composed largely of regular party workers, members of local legislative bodies, lawyers with leisure and ambitions for politics, teachers and other minor officials who know that, if elected to Parliament, they may obtain a leave of absence with two-thirds of their official salary in addition to their parliamentary compensation, and clergymen who sometimes turn aside from their calling to enter the party contests. It is true that, in the *opshtina* and *srez* committees and conventions, peasants are to be frequently found, but the higher machinery of the parliamentary district is generally controlled by professional party workers and

representatives of the middle and intellectual classes.[8] Sprinkled among the members of the national party convention appear peasants from the provinces in their native costumes, forming a colorful contrast to the conventional black of ministerial aspirants and the business dress of the bourgeois.

Naturally the upkeep of the elaborate machine for making nominations to local assemblies and the Parliament is expensive and someone must pay. As already indicated, party rules provide sources of revenue and the Democrats seek popular support by levying a small annual tribute on the rank and file. According to theory, members of the parliamentary clubs must pay a fixed sum into the party chest, but it appears that the regulation is not easily enforced. The truth is that, apart from sums contributed by wealthy supporters, the major portion of the party income is derived directly from candidates and members of Parliament seeking favors at the hands of the organization. Estimates relative to election costs vary. Perhaps twenty thousand *dinars* would be a fair average—more for the leader of the district list, less for the *srez* candidate. On receipt of the nomination, the candidate must pay dearly in the form of entertainment for his constituents and, besides, he must meet most of the local bills for the campaign. Since candidates are not required to publish or file with official authorities any statement relative to their expenditures, no exact

[8] In 1928 the delegation of the Croatian Peasant party to Parliament embraced five peasants, twelve landlords, ten lawyers, two mechanics, two teachers, one clergyman, one merchant, seven pensioners, three professors, two journalists, one doctor, and sixteen villagers.

figures are available. While bribery in the form of promises of money or office is forbidden, there is no corrupt practices act covering the purposes to which election funds may be lawfully applied and strictly limiting the amount of expenditures. Proposals for such a bill are sometimes broached, but Parliament has taken no action in the matter.

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After this review of Yugoslav parties, what may be said of the possibilities of creating two great parties out of the various fragments? Looking at the matter realistically, we may first list the practical interests to be considered in any such transformation.

Conceivably such a division into two principal parties might be sectional in character. Croatia, Slavonia, Bosnia, Herzegovina, Dalmatia, and Slovenia might unite against the other sections in a contest for possession of the government, just as the Southern states in America united against the Northern states in the political opposition which culminated in the Civil War. Is such a fusion and division possible in Yugoslavia? Many forces run against it. The pressure of neighboring countries is alone enough to prevent a sectional alignment from going very far. Moreover, the little parties in the several sections are largely personal machines built around historic leaders whose battles and memories are associated with former times, not with the living present. These leaders may unite for opposition purposes, but hardly on any constructive program—or even on the satisfactory distribution

of the government jobs. No solidarity of economic interests unites these sections. It calls for a stretch of the imagination to picture a prosperous Zagreb stock broker, a rich Croatia peasant, a Slovenia manufacturer, and a half starving Bosnian land toiler marching on Belgrade to the same tune and agreeing heartily on the formulation of laws and the distribution of spoils after their arrival. A purely sectional party combination large enough to rule the country seems out of the reckoning. With the spread of railways, commerce, business enterprise, education, and travel, with the passing of the sectional leaders living on their memories, sectionalism is likely to decline rather than increase.

If permanent sectional party alignments are out of the question, what may be said of the economic materials for a division of the country into two parties? Realistically considered these materials may be surveyed under the following heads:

The bureaucracy consisting of about one hundred and fifty thousand public servants, including the police so useful in elections. To this state within the state may be added the political merchants who supply the government with goods and carry out public contracts.

Agricultural interests.

Capitalistic interests.

Labor interests.

On close examination, however, each of these "interests" presents diversities within itself. Between the comfortable occupant of a swivel chair in Belgrade and a worker in the government coal mines or on the state

railways there is little solidarity. Still there is no doubt that for practical purposes, the bureaucracy can be used extensively in building up a national party machine. Although it is permanent in character and its members cannot be promoted or removed at will by the party chief in power, it could be more effectively employed for party purposes than it is at present.

Among the interests outside of the government itself, agriculture is first in order, because as already stated Yugoslavia is primarily an agricultural country. On the right wing of the agricultural group are the landlords of Croatia-Slavonia, Bosnia, Herzegovina, and the Banat, by no means entirely destroyed by agrarian reform. On the extreme left are landless laborers and peasants with holdings too small to maintain their families. In the middle is the great body of peasants with farms sufficient in size for a comfortable living. Against the political bureaucracy supported by taxes which fall on them all, landlords, peasants, and land toilers might unite for obstructive purposes, but the first of these groups has more to fear from the land-hungry laborers of the countryside than from politicians and workingmen in the towns. The most coherent and economically solid body is the middle group of peasants. Why should they be divided into Croats, Serbs, Bosnians, and Slovenians? Why should they not unite and form a national peasant party? If identity of economic occupation and interest is the basis of party divisions, there is no reason at all.

But where in the world has any peasantry ever

united, except to oust landlords, restrain tax-collectors, and create local coöperative societies? Have the peasants of Yugoslavia any common policy with respect to railways, tariffs, the development of natural resources, the monetary system, waterways, foreign affairs, or any other primary issue of great politics? Do the peasants furnish out of their own ranks a body of leaders informed with respect to such matters and capable of treating them in a constructive manner? The answer to both of these questions is negative. As indicated in another relation, most of their political spokesmen are professional politicians, lawyers, and landlords, who certainly do not present any solid peasant program to the nation. The middle body of the peasantry must form the numerical majority of any ruling party, but it is far from unity on any political platform.

A more vigorous political movement might be expected from the land toilers on the left wing of the agricultural phalanx. In spite of the agrarian reform, there is a large body of laborers on the land living on the margin of subsistence, tilling small plots of their own or working for richer peasants, or both. Here is an open source of lively discontent with the present order, from which might be recruited a number of voters for a party in favor of a further redistribution of the land. If they could be fused, the land toilers and the urban working class might form a powerful combination. Strange to say, Marxian socialists have coöperated with agricultural laborers in working for an individualistic subdivision of estates, which runs abso-

lutely contrary to the Marxian theory of concentration, expropriation, and socialization. But any union of land toilers and urban workers is likely to be temporary and for opposition purposes. There is, among them, in fact, no solidarity of interest, aspirations, or program. The number of marginal land tillers is not large enough to afford the materials for a great national party; and the gulf between an agricultural laborer with one acre and a peasant with twenty acres is greater than the abyss between the latter and a white-collar bureaucrat.

And what of a possible national party dedicated to business enterprise? No doubt there is a future for such a party, as the Democrats foresee, but its growth is retarded for many reasons. Capitalism is relatively weak in Yugoslavia. The railroads and a large share of the natural resources are owned by the state; hence two materials for political cohesion on a large scale are absent. Banking is in a primitive state of decentralization, largely dominated by a kind of pawnbroking individualism. Industry is outweighed by agriculture, considering the value of its capital in *dinars* or its annual output. Only about one-fifth of the people live in towns and most of these towns are overgrown villages. Business enterprise is handicapped by the confusion and uncertainty of politics, the absence of satisfactory legal conditions for development, and the general lack of policy of any kind. Yet industry and commerce furnish most of the national cement, offset the sectionalism of agriculture, and work for the future. If present tendencies continue, perhaps, the Democratic

party in Yugoslavia may play a rôle comparable to that assumed by the party of Hamilton, Webster, and Coolidge in the United States.

With capitalism in such a primitive stage of development, it is natural that labor party interests should be backward also. All told, there are hardly more than half a million industrial workers in Yugoslavia. Indeed that figure is too high. The number of household industries is large. A great many urban workers still own land or have shares in family holdings and are not yet separated from the soil. Many of them hope to save money and return to the country. According to the Marxian formula, socialism can make little headway among the members of such an industrial working class, and as a matter of fact it does make little headway. The uproar created by communism among land toilers and urban workers is all out of proportion to its strength and if the police would allow it to escape in the open air its importance would probably decline rather than increase. At all events, the experience of the dictatorship of the proletariat with the individualistic peasant in Russia lends little countenance to the view that labor on the land and labor in the factory can be easily united on any program except opposition.

If human artifice has anything to do with the construction of political parties, here seem to be the materials with which realistic statesmen must work. Parties are not platonic associations resting on purely theoretical principles. They can only thrive on substance and in the long run creative public policy must

be related to the economic development of the country.[9]

[9] TABLE SHOWING DISTRIBUTION AND TENDENCY IN PARTY FORCES

Parties	*1923*	*1925*	*1927*
Radicals	109	141	111
Democrats	52	37	61
Independent Democrats	..	22	22
Croatian Peasants	71	67	63
Yugoslav Moslems	18	17	18
Slovene Clericals (Populist party)	22	20	21
Land Toilers	11	5	8
Miscellaneous	29	6	11
	312	315	315

CHAPTER VII

THE CABINET SYSTEM

THROUGH all the sections of the Constitution conferring power upon the executive department or recognizing the existence of power in the Crown, as the case may be, runs the idea of ministerial and cabinet responsibility. In stating that executive authority is exercised by the King, Article 47, as indicated above, stipulates that it shall be exercised through responsible ministers. To whom are they responsible? Article 91 answers: they are "responsible to the King and the National Assembly." The fact that the King as well as Parliament "can file charges against ministers for violations of the Constitution and the country's laws," is additional evidence of the double responsibility. But whatever may be said of the duties of ministers toward the Crown, it is clear from practice and the spirit of the institutions that parliamentary responsibility was uppermost in the minds of the men who drafted the fundamental law of the land.

That responsibility is both individual and collective. No act of the King's authority is valid, nor can it be executed, unless approved by the competent minister. Important decrees, such as one dissolving the National Assembly, must be signed by all the ministers. Besides this, the Constitution recognizes the collective char-

acter of the administration by declaring that "the ministerial council is composed of all the ministers and stands immediately under the King." Having expressly recognized its unity, the Constitution confers upon the council, as such, high and important powers with respect to the transformation of decrees into laws, in Articles 130-134.

In structure, the council of ministers, or cabinet, corresponds in general to the structure of the national administration. The president of the council, or premier, stands at the head. He may be with or without portfolio or administrative responsibilities, at his pleasure. He may change from one relation to the other during his tenure of office. For example, Mr. Vukichevitch, who took office in the spring of 1927, for a time combined the duties of prime minister with those of the Minister of the Interior. At length weary of the criticisms directed against him in his latter capacity, he turned the Interior Department over to a party colleague shortly before his government fell early in the following year. Other ministers may be without portfolio, but this custom is not generally followed. Ministers are, as a rule, placed at the head of various branches of national administration. As a general rule also they are members of Parliament, but there are exceptions. The War Ministry is usually in the hands of an army officer in active service outside the National Assembly. Occasionally the railways and other technical branches are entrusted to specialists not engaged in active political life. As indicated below in the Chapter on National Administration, there are sixteen ministries (until 1928, seventeen) charged with execu-

tive functions and it is primarily as heads of these several state agencies that almost all of the cabinet members assume responsibility toward the Crown and the Parliament.

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When a cabinet falls, the retiring premier informs the King that his services are at an end and discusses with his Sovereign the state of affairs in Parliament. If he is himself definitely out of the race, he asks to be relieved of his obligations and is granted his request. If he prefers to attempt the formation of a new government or the King is unwilling to accept his resignation, he may receive a commission to organize another ministry along different lines.

Formally, the duty of keeping the King in touch with the negotiations among party leaders and finally indicating to him the leader to whom a mandate should be offered is entrusted to the president of the Parliament. As a party leader and spokesman in the chamber, the president is familiar with the balance of power in the Assembly and able to discern with a great deal of accuracy the possibilities in the line of cabinet making.

But the King is not solely dependent upon the president for advice. Through frequent conversations with political leaders, in season and out, he must acquire a large fund of first-hand knowledge as to what is feasible and desirable in the choice of ministers. Moreover, if a leader to whom a mandate is given is unable to secure support for his proposed cabinet, he usually takes it upon himself to advise the King as to a

substitute more likely to accomplish the desired result.

In making choices, does the King seek to have his way against the will of Parliament? There are occasionally to be heard assertions in the affirmative,[1] but certain notorious facts run against that conclusion. The first of these notorious facts is that the National Assembly has no will but rather six or eight conflicting wills, none of sufficient strength to warrant the assumption that its action really represents a parliamentary resolve. The second is that the rapid and bewildering cabinet changes which have taken place since the establishment of national unity in 1918, could not in their amazing variety represent the mind of any single person, certainly not the King's mind. The readiness with which he acquiesces in the frequent demands for changes and the repeated resignations of ministers indicates a deference to parliamentary desires which borders on infinite patience. Certainly there is nothing in it that savors of a passion for personal government.

In yielding to parliamentary requirements, the King, when selecting cabinet members, is in truth limited to a rather narrow circle of seasoned political leaders. The number of ambitions to be satisfied is larger than the number of administrative departments and the possibility of appointing many technicians is not great. If every one of the three hundred and fifteen members of Parliament looks upon himself as offering cabinet timber, as a matter of fact only a few leaders in each political club have the prestige and the

[1] See above, p. 75.

personal qualities necessary to command the votes required for the formation of a government. To pick out relatively unknown men, no matter how great their ability, would be to defeat the ends of selection, namely, the establishment of a working parliamentary majority. At any given time, accordingly, there are not more than fifty or sixty men from whom the King may with safety choose the sixteen ministers to fill the cabinet positions, and most of them are old and experienced parliamentarians. Since a coalition of two or three, among the six or eight parties, is always necessary, the distribution of the limited choices among the fragments of the coalition is confined to their outstanding leaders, thus narrowing still further the range of selection.

A study of the cabinets formed between December, 1918, and July, 1928, shows that in practice long political service is usually recognized and that the direction really falls into the hands of a rather small circle of experts.[2] Reckoned in terms of time, Mr. Vukichevitch stood at the head with 1864 days in cabinet posts within that span of nine and one-half years; then followed Mr. Pashitch with 1807 days, Mr. Pribichevitch with 1737 days, Mr. Ninchitch with 1735 days, Mr. Uzunovitch with 1501 days, and Dr. Koroshetz with 671 days. Other ministers also held posts in five or six cabinets, occupying widely different portfolios. In the course of these years, sixty Serbs, twenty Croatians, fifteen Slovenes, thirteen Bosnians, eight Dalmatians, three Montenegrins, and four Voivodinians shared in

[2] For an interesting analysis of this situation, see "Politika," July 31, 1928.

the distribution of ministries. In the cabinet organized by Dr. Koroshetz, after the shooting affair in Parliament in the summer of 1928, there were eight Radicals, four Democrats, one Slovene clerical, one Moslem, one from the Croatian People's party, and one independent.

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The following table of ministries betwen 1918 and 1928, a period of ten years, is more eloquent than any generalization about the operations of the cabinet system:

Protitch cabinet, December, 1918–August, 1919
Davidovitch, August–September
Crisis of about six weeks
Davidovitch mandate renewed, October, 1919–February, 1920
Protitch, February–May, 1920
Vesnitch, May, 1920–January 2, 1921
Pashitch, February–December, 1921
Pashitch, reconstructed government, December, 1921–December, 1922
Pashitch, reconstructed government, December, 1922
Dissolution of National Assembly and new election.
Pashitch, December, 1922–April, 1923
Pashitch, reconstructed government, May, 1923–March, 1924
Pashitch-Pribichevitch, March, 1924–July, 1924
Davidovitch, July–November, 1924
Pashitch-Pribichevitch, November, 1924
Dissolution of National Assembly and new election.
Pashitch, continued in power until July, 1925
Pashitch, reconstructed government, July, 1925–April, 1926
Uzunovitch, April 8–April 15, 1926

Uzunovitch, reconstructed government, April–May, 1926
Uzunovitch, reconstructed government, May–October, 1926
Uzunovitch, reconstructed government, October–December, 1926
Uzunovitch, reconstructed government, January, 1927–February, 1927
Uzunovitch, reconstructed government, February-April, 1927
Vukichevitch, April, 1927–February, 1928–June, 1928
Koroshetz, July, 1928

A scrutiny of the causes of these changes or reconstructions in the government shows that they seldom spring from any fundamental differences of opinion regarding public policy. Sometimes they are due to votes of "no confidence" in Parliament, but by no means always. Indeed it has happened more than once that governments apparently sustained by satisfactory majorities on the floor of the chamber have tendered their resignations to the King. Sometimes cabinet changes are made for reasons that are clear cut: for example, in handing his resignation to the King on September 13, 1919, Davidovitch explained that his government could not and would not assume the responsibility for signing the treaty of Saint Germain containing stipulations relative to the protection of minorities in Yugoslavia because those stipulations "constituted an infringement on the sovereignty of the state and the nation of the Serbs, Croats, and Slovenes and offered a peril to its pacific development in the future." But it is not often that such a clean-cut and formal issue is forced upon a government. Frequently, indeed, ministries are dissolved immediately after they

have received evidences of confidence from the Parliament. For instance, in February, 1928, the Vukichevitch cabinet, after commanding several majority votes in the Assembly on direct issues, suddenly surrendered while apparently supported by a competent contingent in the chamber.

The process may be illustrated by reference to the course of events over a period of two years. On April 5, 1926, Premier Pashitch resigned his office because his son, Rada Pashitch, was accused of corruption—serving as a mediator between the government and certain private contractors. Without doubt, the grounds for action in this case were sufficient. Three days later, a member of the Pashitch party, Uzunovitch, became Premier and formed a new government. Scarcely had he been installed when Stephen Raditch publicly charged the Minister of Communications with responsibility for a theft of coal in the station of Zagreb and thereby forced the resignation of the accused. When called upon by the Premier to state his reasons for interfering in the administration of another department, Raditch failed to make a satisfactory explanation. Thereupon the Premier presented to the King the resignation of the entire cabinet on April 15, after seven brief days of power.

Commissioned by the King to form a new ministry, Uzunovitch undertook the task and was successful in effecting a reconstruction. He had scarcely got his organization in working order when a violent debate arose in Parliament, awakening echoes of the case against Rada Pashitch. At length, out of this controversy two orders of the day were raised on the floor,

one by a member of the Premier's party and another by a representative of the opposition, both reflecting upon the correctness of the government's position with respect to procedure against men charged with corruption. The outcome was an adverse vote which was construed by the government as demanding its resignation. Within a short time it was out of office.

Evidently, however, the adverse vote on charges of corruption was not taken seriously, for Uzunovitch was immediately authorized to organize a new cabinet, and experienced little difficulty in the undertaking. During the summer vacation, the political atmosphere of Belgrade was fairly calm, but in the autumn, when the cooler days came, another storm broke. The ostensible cause was an incident at Zagreb. At a meeting held in that city to welcome a parliamentary delegation from Prague, Stephen Raditch made an angry remark about the absence of the Croat flag from the staff above the railway station, interrupted the local prefect by demanding a reference to the Croats, and at the end cried out: "Long live the Czechs! Long live the Slovaks!" On the strength of this affair, which hardly seemed to involve any vital national interests, the Premier asked the King to relieve him of his duties on October 14. On receiving, however, an explanation from Raditch to the effect that his language at Zagreb was not to be regarded as menacing the public safety, Uzunovitch was induced to resume authority.

Nearly two months now passed without a crisis. Not until December 5 was the security of the cabinet shaken. On that day, the Minister of Foreign Affairs, Ninchitch, suddenly resigned, giving as his reason the

statement that, owing to the recent publication of the Italo-Albanian treaty, the public had received an impression that the government's foreign policy had suffered a set-back. Two days later, the Premier asked the King to permit the withdrawal of the entire ministry. On this foreign issue, a "crisis" occurred. A long delay, crowded with negotiations among the parties, followed the incident, filling reams of paper with "political news." At last on December 27, the spell was broken by the announcement that Uzunovitch had undertaken for the fifth time to form a new administration. Early in the next year, the task was completed and a government installed. Within two months, the Croatian Peasant party turned on the government and soon forced it out of office. Not discouraged by many crises, Uzunovitch formed another cabinet, his sixth within twelve months, drawing to his aid the Slovenian Populist party and frankly accepting the opposition of the Croatians, both wings of the Democratic party, and the Moslems. But fate was unkind. The fierce attacks made on his government, especially the Ministry of the Interior, drove him to the wall and on April 6, 1927, he resigned.

This crisis did not mean, however, that the Radicals for whom Uzunovitch spoke had been ousted from power. On the contrary, his successor, Vukichevitch, belonged to the same political party and merely broadened the base of the government by taking in as parliamentary colleagues Democrats, Slovenian Populists, and Moslems. Determined to strengthen his support, Vukichevitch called a general election for

September 11, 1927. Although his party lost seats and the Democrats gained, he clung to office amid unending attacks until February, 1928.

Early in the new year, rumors of an impending crisis ran through the intellectual circles of the Capital and inspired countless columns of interviews with party leaders. The cafés were buzzing with "inside information" and sage comments. Meanwhile on more than one occasion the Vukichevitch government received a vote of confidence in Parliament; and an important tax bill, vitally affecting the most powerful economic interests in the country, was carried through the Assembly with a flourish. Then suddenly, one evening, notwithstanding a direct vote of confidence the previous day, Vukichevitch handed in his resignation. Thereupon the mandate was given to Stephen Raditch. After he confessed his inability to form a government, the leader of the Democrats, Davidovitch, was invited to assume the responsibility; aware of his inability to effect a concentration of power, he respectfully declined the commission. From the Democrats, the tender went to Peritch, the president of Parliament, a leader among the Radicals, but after several days of negotiations it was announced that the undertaking had been passed back to Vukichevitch.

If on first thought the kaleidoscopic cabinet changes seem without political logic, an inquiry into the inner history of some of them reveals plausible grounds, if not weighty reasons, for action. For example, in 1927, on the occasion of organizing his cabinet, Vukichevitch formulated his legislative program and at the same

time Davidovitch, leader of the Democrats, laid down the terms upon which his party entered the coalition. On the basis of this union a sheaf of projects was prepared for the consideration of Parliament, but in fact not a single important bill, except the tax bill, was driven through on the strength of the coalition. The ministers who made up the cabinet either did not have the will or the desire to realize a legislative program.

Discontent inevitably arose among the Democrats for they did not possess either of the two most important engines of the government, namely, the Finance Ministry or the Ministry of the Interior. From day to day the discontent grew until finally by a majority vote the Democratic parliamentary club demanded the withdrawal of their group from the cabinet. A crisis arose and dragged on from day to day. In the meantime the important tax bill was pending in the Assembly and the Democrats did not dare to turn openly against the Premier until it was safely through the chamber. Hence, while the government was tottering, it was apparently receiving votes of confidence pending the action on the tax bill. When that measure finally passed, the prime minister handed in his resignation.

Then arose on all sides a cry for a "concentration" ministry, such as might be expected in England in time of war. Just how a union of hearts among partisans, who bitterly denounced one another on the floor of the Assembly, could effect agreement on any legislative program was one of the mysteries of the hour. Why should a party join a coalition or concentration government without the slightest chance of securing the

enactment of any bills expressing its political convictions?

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Judging from its formal relations with the National Assembly, the cabinet does not take the usual parliamentary proceedings very seriously. Except when some vital issue is up for consideration, the ministerial bench is not likely to be crowded. Of course, one or two ministers or at least under-secretaries will be present to watch the drift of debate but business does not go forward in the Assembly with a full array of cabinet officers solemnly listening to speeches and dissecting the arguments on the questions of the day. Often ministers will not deign to answer interpellations put to them, knowing full well that by delay unpleasant matters can usually be avoided.

This does not mean, however, that ministers are indifferent to the course of parliamentary politics; it does not mean that they are always busy at their offices with heavy administrative duties. It is to their respective party clubs, rather than to the chamber in full panoply, that they pay court. Every bill which the cabinet presents to Parliament, every step in the formulation of policy, every move, in short, is the subject of animated debate in the clubs. In these busy debating societies, every member has a right to be heard and by turning a few votes here or there may change the position of the club—may carry its weight in one direction or another. If a particular club is one of the government coalition, a slight shift in its position may overthrow a cabinet. Since there are, as a

rule, only a few office-holding friends to be ousted by this procedure, the members are not held in check by fear of threats from the outside. If a change can be effected, then any active club member may possibly win a seat in the cabinet or as an under-secretary.

The result is a curious political situation. Whereas in England it is the custom to lament the decline in representative government on account of the subserviency of individual members to the party lash, it is the fashion in Yugoslavia to attribute the decline of representative government to the intense individualism which creates many parties and makes every cabinet dependent upon the activities of club members with respect to every issue that arises. No steam roller flattens out the little men. They are heard in clubs, if not on the floor. Certainly this is what Dr. Frederick A. Cleveland calls "hair trigger government"—with a vengeance.

Rapid and bewildering changes, such as those enumerated above, do not, however, affect materially the course of public administration. Allowing full range to parliamentary leaders, the King keeps his counsel. He is head of the Army and the Minister of War is his personal and confidential adviser. Hence ordinary political crises do not disturb the security of the state. Owing to the permanence and discipline of the bureaucracy, the functions of the government continue unbroken amid all the storms in Parliament. Since the budget system is well organized and operates smoothly, assuring adequate appropriations of money for public business, including the salaries of members of Parliament, cabinet resignations, reconstructions, and

formations do not cut off the life blood of the administration, namely, finances. From day to day, the permanent governmental machine grinds on, in spite of the political uproar and the cries of newsboys in the streets announcing the downfall of ministries.

With public safety assured by the King and Army and with the civil service functioning regularly, the struggles of party leaders and the overthrow of cabinets do not offer grave menaces to the private enterprise of the country. Undoubtedly, they do depress the credit of the government in the foreign money markets and retard the economic development of the country, but they produce no economic crises comparable in magnitude to the noise of the political disturbances. Politics in Yugoslavia, for the present at least, takes on the character of a sport, furnishing diversion for a people that has not yet elevated foot-ball, base-ball, boxing, and prize fights to the level of a major interest deserving three or four full pages in the daily newspapers. Political battles furnish copy for the Belgrade and provincial press, increasing circulations with the increase in party friction. Since the Yugoslav papers, unlike those of the United States, relegate gruesome murders, suicides, and divorces to obscure corners and confine them to minor notices, politics must make up for scandals as well as sports. If the stormy members of Parliament, whose pictures appear almost daily in the papers and whose interviews are accredited space altogether out of proportion to the definiteness of their proposals and objections, were consigned to the remote corners, perhaps even their ardor for overthrowing cabinets would abate somewhat.

Nor is the course of public policies as reflected in legislation vitally altered by cabinet changes. Seldom, if ever, does it happen that a cabinet resigns because some great measure of law sponsored by it has been rejected in the National Assembly. Less seldom, if possible, does it happen that the opposition which overthrows a government bases its action on the refusal of a ministry to adopt its legislative program. No doubt the frequent cabinet changes are largely responsible for the interminable delays in legislation relative to the most fundamental economic issues, such as land reform, forest and mines management, law consolidation, and the like; but not a single government formed since the establishment of national unity has staked its life upon any great constructive legislative program.

When safely established in power, a ministry does not immediately use its newly-formed majority to force its policies into law. After ousting a government and taking its place, the opposition combination does not risk its life on big schemes of legislation. In other words, the fundamental business of the Parliament, namely, constructive legislation, is almost wholly neglected in the lively contests of leaders for office. By comparing political speeches with legislative performances, cabinet changes with legislative enactments, talk with action, it is impossible to avoid the conclusion that, aside from the sporting features of the game, Yugoslav politics is concerned primarily with ousting the men who are in power and putting into office the men who are out of power. If there is any doubt on this point, it seems to be laid by the fact that the bitter

opponents of yesterday are willing to unite today in the formation of even a "concentration" cabinet composed of half a dozen opposing parties without any agreement on a single significant measure of legislative action. It is difficult to take seriously a stormy advocate of reform who joins a government that delivers to him not even an installment of his demands—nothing except the salary and perquisites of a minister. It is equally impossible to accept at face value charges of corruption made by a man who unites on the following day with the victims of his accusations and shares in the distribution of cabinet posts.

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Although Americans are thoroughly familiar with the politics of tweedledum and tweedledee and are usually puzzled when a foreigner asks the difference between a Republican and a Democrat, they will be surprised to learn that in Yugoslavia party leaders do not acquire with their offices in a ministry a large number of political "jobs" to distribute among their faithful followers. In the constant conflicts over cabinet positions in Belgrade, the "spoils system," in the American sense of the term, plays a small part. As indicated below, the civil service is nearly all permanent in character. It is true that a sweeping victory at the polls resulting in the return of a safe majority would doubtless result in innumerable transfers, if not displacements, of civil servants. In former times in Serbia, it was the general custom for a party, on coming freshly to power, to remove the departmental prefects throughout the country, thus making

room for partisan appointees, but the practice has not been carried over intact into the United Kingdom.

Most of the shifts and slides in party politics affect relatively few positions, leaving nearly all the subordinate office-holders untouched. A displaced minister resumes his seat in Parliament or, if a technician, returns to the official post from which he came, or, if old enough in service, retires to enjoy his pension in peace and security. A few division chiefs and higher administrative officials are transferred, but seldom if ever discharged, on account of the strict provisions of the civil service law. Hence it is no huge treasury of spoils for which party leaders are contending when battling over cabinet offices. Nor can it be claimed that "fat" government contracts, great objects of political aspiration in American politics, play a considerable part in the Yugoslav political game. Such spoils exist, no doubt, and more than one scandal has arisen in connection with the purchase of supplies and the construction of public works, but the strict provisions of law in this respect and the uncertainty of ministerial tenure raise to a high point the risks involved in spending money on a politician in the hope that, once in power, he can "deliver the goods," to use a colloquial phrase.

In fact, the economic conditions of the country do not favor the growth of a "spoils system" in connection with political changes, at least in the American understanding of the term. The great majority of the people are peasants and most of them, if not actually unable to read and write, at least possess only the rudiments of learning. Unlike the American farmers of Andrew Jackson's day, they do not think of going from the

plow to a high administrative or judicial post and then back again at the end of their terms. Yankee political ingenuity is wanting. There is in Yugoslavia no great army of "jacks of all trades," who can turn to real estate deals, insurance, contracting, and politics at will, without endangering their livelihood. Capitalists and businessmen are not very numerous and they are inclined to stick to the last rather than incur the risks involved in the ups and downs of politics.

If a premier were elected for a definite term, say two or four years, more people might be willing to tempt fortune in politics, but since a ministry may last a few weeks or months at best, the hazards of the game prevent the growth of a huge system of office brokerage. What might happen in such a case is illustrated by the scandal which grew out of the action of Premier Pashitch's son in connection with public contracts. Perhaps the chief advantage in rapid cabinet changes is the interruption of "deals" made with private capitalists and contractors, leading one to reflect upon the saying, attributed to Alexander Hamilton, to the effect that corruption is necessary to strong and efficient government. At all events, illustrations of the aphorism are to be found in the history of every country.

No doubt there is a great deal of discontent in Yugoslavia with the cabinet system as operated. A few young hot-spurs and seasoned conservatives speak openly in cafés and salons of "the coming dictatorship." But it is difficult to assay the quality of this assertion. When those who talk of dictatorship are asked whether the people would long endure it in peace, whether it

would not quickly end in a restoration of parliamentary government, they make vague or non-committal answers. The history of the Serbs does not indicate a quiet acceptance of absolutism as an exchange for the cabinet system. Certainly at present there is no open Fascist movement in Yugoslavia, although the potentialities of the *Orjuna* and *Narodna Odbrana* are unquestionably real. Communists languishing in jail or silenced by the heavy hand of the law still plan for the dictatorship of the proletariat in orthodox form, but how they are to effect it in a land where eight-tenths of the people are peasants and nearly all land owners does not appear on the surface of things.

As long as the rank and file in the political parties have no definite public policies which they are determined to see realized and as long as the capitalistic economy of the country remains in a backward state, the professional leaders in Parliament will be able to do about as they please, baiting governments without assuming responsibility, turning cabinets out as a seasonal sport, and forming new administrations for the usual brief tenure of power. The efforts of the members of Parliament interested in definite constructive legislation will be as futile in the future as in the past. But in spite of the handicaps imposed on business enterprise by the bureaucracy and cabinet reconstructions, Yugoslavia inevitably moves forward into the industrial order of things. Her natural resources, her strategic location on trade routes, and the energy of her people seem to guarantee that. Governments will become more stable when a more substantial economic foundation is laid for politics.

CHAPTER VIII

NATIONAL ADMINISTRATION

The administrative work of the national government is distributed among sixteen ministries: Foreign Affairs, Interior, Finance, Education, Agrarian Reform, Justice, Posts and Telegraphs, Agriculture and Waterways, Commerce and Industry, Public Works, War and Navy, Forests and Mines, Social Policy, Religion, Public Health, and Communications. Until April 1, 1928, a seventeenth department was included in the list—the Ministry for the Unification of the Laws—but the department was abolished by the finance law of 1928-29.

Within each ministry there is an organization more or less complicated and adapted, with more or less efficiency, to the various functions undertaken. Some of the ministries have under-secretaries who are members of Parliament and act mainly as political officers. In a few cases there are assistant ministers and, generally, chiefs of cabinets who act as private secretaries. Internally the ministries are divided into bureaus or, more strictly speaking, departments. As a rule the bureau is headed by a specialist taken from the permanent civil service, not by political or parliamentary leaders rewarded for partisan labors by the spoils of office.

Although the distribution of functions and the structure of administration now existing were made by ministerial decree, they have been legalized by Parliament and crystallized into law. Henceforward they can only be altered by legislative act. Created hastily during the chaos that followed the close of the War, the administrative organization naturally is open to criticism on the score of size, duplications, and overlapping. As many parties were to be conciliated while national unity was being established, a few ministries were added for political rather than technical reasons.

Beyond question there is need for consolidation and reorganization in some relations. For example, the Ministry of Agrarian Reform could be readily united with the Ministry of Agriculture; the Ministry of Religion could easily be merged as a division in the Ministry of Education; Commerce and Industry and Forests and Mines, owing to their intimate relations and given the present allocation of functions, could readily be assigned to a single ministry. It is sometimes urged by competent specialists that posts, telegraphs, and railways should be brought under a single head, but there is diversity of opinion on this point. However that may be, it is safe to say that the number of ministries could be reduced to ten or twelve, thus curtailing the expenses of the government and effecting a more efficient organization of work.

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From top to bottom the work of the national administration is carried on by a permanent body of civil servants, numbering in all about 146,000. This service,

resting upon old Serbian foundations, has grown up through a long period of years, and though decimated by the War retains its historical features. Originally created in a society essentially agricultural in economy, composed of people largely illiterate, and offering few opportunities for careers outside of government service, it has of necessity assumed the characteristics of a bureaucracy. In Yugoslavia, no political leader has ever taken the position of Andrew Jackson and advocated turning out the government employees with each change of ministry. Even the most daring politician is aware that chaos would be the result of any such policy. Moreover it would have been impossible to induce young men to prepare themselves for official life if careers had not been guaranteed to them.

Broadly speaking, the service is divided into two groups: (1) positions for which specific educational qualifications are required, and (2) the labor group, comprising skilled and unskilled workers. The first of these groups comprises three classes, when considered from the point of view of educational requirements, namely, (a) employments open only to university graduates in law, medicine, engineering, and the other professional disciplines; (b) employments open to students who have completed their gymnasium course; and (c) employments open to those who have finished the elementary school.

Other than the emphasis given in the universities to general studies leading to official life, no training courses are offered for the benefit of persons preparing for that profession. And in recruiting for the service,

the government does not rely upon highly specialized examinations or the application of rigid rules with respect to qualifications in detail. Since most of the recruits are drawn directly from the institutions of learning in their early years, broad educational qualifications are deemed sufficient.

Accordingly there are no examinations for admission to the public service. The candidate for admission, on completing the educational requirements for entrance to the class which he has chosen for his career, applies to the ministry of his preference for a position, filing with his application his credentials and personal data. If found satisfactory and need arises or influence is exerted, the candidate is given a post in the department, with the counter-signature of the minister. As a rule he is assigned a place in the lowest of nine groups into which the department service is classified for purposes of promotion. Then follows a probationary period of three years in which the candidate has an opportunity to display his talents and capacities. In the course of, or at the end of, the probationary period, he is subjected to an examination which determines whether he is to continue in the service or seek an opportunity elsewhere. On the completion of his probationary period, his record is reviewed by a commission composed of officials in the ministry.

After securing a satisfactory report from this commission and after passing the examination given in the ministry by which he is employed, the probationer is a full-fledged civil servant and is entitled to promotion. Henceforward the fate of the employee depends not upon examinations, but upon the process of advance-

ment which in the normal run is automatic. Each year his record is examined by a commission composed of officials in the ministry and he is graded as either satisfactory or unsatisfactory. The employee whose record meets the requirements is automatically promoted according to an elaborate scheme created by law and annually provided for by the budget.

If, on the basis of the candidate's record, the commission of the ministry enters an adverse judgment, he may appeal to the minister for review. For the purpose of hearing the complaint, a new departmental commission is appointed by the minister and on the strength of its findings a ruling is made in the premises. If the verdict of the minister is adverse, the candidate for promotion may then appeal to the State Council, the highest administrative authority of the Kingdom. If, in the course of three successive years, there are three rulings against him or if, in the course of his career, there are six rulings against him, his case is considered hopeless and he is discharged from the service or is pensioned, if he has served the requisite number of years.

For rapid advancement after he has fulfilled the requirements for promotion, the civil servant is dependent upon talents, fortune, and influence. Once through the probationary period and entered in one of the classes for promotion, the employee may be transferred from one ministry to another or one branch of the national service to another but without promotion and without prejudice, of course, to the rank and salary to which his class and term of service entitle him. An officer cannot be transferred to a lower posi-

tion without his consent and even in case of consent he does not loose his standing in the scale.

During his service, the employee is safeguarded in his rights by elaborate provisions of law and by processes of appeal against his superior. To illustrate by a concrete case. A young official is denied special compensation for special services rendered. He appeals to the minister at the head of his department. The ruling is adverse. Thereupon he frames, within thirty days, a complaint against the ruling and files it with the State Council, accompanied by the appropriate documents. On receipt of the papers, the Council notifies the minister who must answer within a brief period. After reviewing the case, the State Council annuls the ruling of the minister, who must make another ruling and pay the applicant the amount due.

Besides being protected in his rights to salary and promotion, the civil servant cannot be removed, as a rule, at the pleasure of the appointing officer. If it is discovered that he does not possess the legal qualifications for the post he occupies, he may be discharged, of course, but the superior who seeks to get rid of him must establish the facts of the case. An official may be temporarily relieved of duties, but he retains his right to the first open post of the same rank and his idle time is counted in his record for advancement and pension. Whenever a superior, for disciplinary reasons, wishes to discharge an employee, he must make out a case before a disciplinary court, subject to a right of appeal to the State Council.

However, note should be taken of the fact that Sec-

tion 234 of the Civil Service Law, originally limited to the year 1925 but later extended to 1929, permits the minister to remove without assigning a reason any official who has not served fifteen years and gives him also the right to retire with pension any official who has served longer than that term. According to a rider to the finance law of 1927, a reason must be given when civil servants of more than fifteen years standing are placed on the retired list. These authorizations were made for the purpose of permitting a cut in the overcrowded personal service of the government and, in letter at least, broke down the guarantees of that service; but in fact they have not been drastically exercised. Independent and competent specialists in administration contend that the number of state employees could be reduced by one-third in the interest of both economy and efficiency.[1]

[1] TABLE SHOWING NUMBER OF STATE EMPLOYEES, BUDGET 1928-29

General administration	
Higher state officials	418
Justice	8,316
Education	29,066
Religion	1,127
Interior (including police)	25,238
Public Health	3,048
Foreign Affairs	597
Finance	13,859
War	21,009
Public Buildings	2,701
Communications	545
Agriculture and Waterways	985
Commerce and Industry	1,122
Public Welfare	445
Agrarian Reform	283
Unification of Laws	1
Total	108,760

Besides the right to dismiss and retire employees, the minister has certain severe disciplinary powers. He may proceed against the inefficient members of his staff before disciplinary courts which may impose heavy penalties, such as a reduction of pay for one year by ten per cent or a reduction of pension in the same percentage for ten years or a total cancellation of pension rights.

In addition to their rights in tenure, promotion, and salary advancement, civil servants are entitled to pensions under specific conditions. Provisions are made, of course, for those who fall ill or are disabled in the service. Ministers and under-secretaries are entitled to a pension after two years of service—one real and the other possibly nominal—a pension graded on the length of their respective terms, reaching full pay at the expiration of ten years. Other state employees may ask to be retired or be retired after fifteen years service with sixty per cent pay and an additional allowance for longer service, according to a fixed scale, attaining full pay at the end of thirty-five years. At the age of sixty-five, officials in regular, that is non-

Revenue-receiving divisions and functions	
Justice	1,238
Health	2,069
Finance	1,517
Communications	31,928
Post and Telegraph	23,069
Agriculture	617
Forest and Mines	2,651
Commerce	630
Total	63,419
Grand total, all employees, except private soldiers..	172,179

political, service must be retired with such pension as their term of service warrants. An official may ask to be retired after fifteen years, but the minister can deny his request; he may be retired at the age of sixty, if he has seen thirty-five years of service. He may be put "at the disposal of the government" for a year, drawing full salary. This period may be longer, if his post or the department in which he works, has been suppressed.

The intimate operations of the pension system were mercilessly exposed in 1928 by Mr. J. Protitch, in a little book entitled "Our Pensioners." According to the author's calculation, 3,712 persons were pensioned during the preceding year, that is, at the rate of about ten a day counting Sundays, exclusive of regular civil servants, widows, children, and crown pensioners. Moreover, a mysterious scheme of reckoning "war years" and "extraordinary years," increases the normal burden on the taxpayer by permitting applicants to obtain recognition for longer terms than they have actually served, thus adding to their allowances. The prize winner in this competition seems to have been a sergeant of fourteen years active service, who for various reasons was credited with thirty-three years for pension purposes, a hypothetical period that started to run two years before his birth. Other devices are used for prying money out of the treasury. For example, a certain consul was recently elevated to the post of "minister to Russia"—a post which does not exist at all—and then pensioned at the higher salary rate. This is not all. Hundreds of these pensioners are under fifty years of age and perfectly capable of

serving the state efficiently. Many of them are eager to serve but are put on the shelf to make room for partisan job hunters; others are glad to be out enjoying one salary from the state and earning an income from a business or profession in addition.[2]

For the protection of their rights and interests, the civil servants are organized in a national association. By law and custom they are accorded that right. For working purposes, the Association of Civil Servants has an executive committee which watches bills in Parliament and protests against measures which it deems adverse to the interests of the employees of the state. Whether the ordinary employees have the right to strike is an untested issue, but railway employees who attempt to stop work are subject to the provisions of the law for mobilizing them into military service. In short, while they are permitted to organize and to present their grievances, they cannot enforce their demands by tying up the system of communications.

Under constitutional provisions, as already indicated, civil servants enjoy extensive political rights. They may be candidates for Parliament and for other elective offices, except in the election districts of their territorial jurisdiction. On election to the National Assembly,

[2] Besides the ordinary pensions charged to the treasury, there are numerous special "commissions" at high rates of pay, given as rewards for talents or as favors to regular civil servants employed on special undertakings, such as visits to foreign countries on official business. Frequently the honorarium for such service is as high as 2,500 or 3,000 dinars a day and expenses, amounting in all to quite a handsome remuneration as wages run in the Balkans. It might as well be said frankly that the pensions in Yugoslavia are a national scandal and a heavy drain upon the taxpayers. Sooner or later drastic action will become imperative. And it should be added that the subject is receiving attention at the hands of competent authorities.

they are put at the disposal of the government. Police, customs, and forestry officials, as already mentioned, must have been out of office for at least one year before they can become candidates for Parliament. Subject to these and minor restrictions relative to service as party committee leaders, the employees of the state are free to participate in the lawful activities of political parties, of course, at the hazard that in promotions, transfers, and other operations of administration they may suffer discrimination at the hands of appointing officers.

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Even a brief survey of the civil service system reveals defects that might well receive consideration at the hands of Parliament.

1. Owing to the absence of a central civil service agency, there is a lack of uniformity in the actual, as distinguished from the nominal, educational qualifications of persons admitted for probation.

2. The standards of attainment and performance applied vary from ministry to ministry so that the same grade or class does not mean the same thing throughout the service.

3. The existing classification of employees is based upon legal concepts of their duties imposed, rather than on the differentiation of duties actually performed.

4. This makes a variation from ministry to ministry in the rates of pay attached to similar, if not identical, duties.

5. Reductions should be made in the number of

state employees, not horizontally according to an arbitrary percentage fixed by the Minister of Finance, but on the basis of a survey of work done.

6. Too much emphasis is laid upon law as an instrument of preparatory education and too little on political economy and the practice of administration.

7. The government is drifting from year to year in the matter of pensions, meeting by appropriations the need of each fiscal period, without any actuarial calculations as to what the requirements will be if this policy is pursued for fifteen or twenty years without change. The danger is that Parliament, frightened by the enormous increase, will make arbitrary reductions which will infringe upon the just rights of individuals and do injury to the morale of the service. A searching inquiry into the present law and practice, into the future commitments inevitably involved, and into methods of reduction compatible with sound employment policy should be made by a competent commission composed of members of Parliament and experienced representatives of the administrative branch of the government.

8. The absence of examinations for admission and the practice of allowing the minister to appoint on probation both work for a concentration of appointments in Belgrade, reducing the opportunities of the provinces and thus giving some support to the charge that the bureaucracy is almost purely Serbian.

9. Since there is no such thing as an eligible list limiting the minister's power of appointment and promotion, partisan politics can and does enter the service. Where, for example, there is a single vacancy, either

for admission or advancement, and many candidates, the minister can make a partisan selection.

10. The obstacles placed in the way of removing insubordinate and incompetent officials are so great that ministers are not likely to act save in the gravest cases. In power only a short time themselves, they are naturally disinclined to start contests which only lead to litigation and prolonged argument. Consequently, steadiness and continuity are given to the state service at the expense of economy and efficiency. In this way a powerful bureaucracy, too strong for Parliament, has been erected.

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In his survey of the financial and economic situation in connection with the budget for 1927-28, the Minister of Finance estimated that out of a total expenditure for general state needs, apart from the state enterprises, 3,572,000,000 dinars went to cover the cost of materials as distinguished from an expenditure of 4,066,000,000 for personal service.

Save for certain exceptions noted below, purchases of any importance are subject to specified safeguards. Those above the sum of 100,000 dinars must be made by competitive bidding according to the process later described. All purchases ranging from 100,000 to 2,000,000 dinars—in the case of War Ministry, 400,000 dinars—are subject to the approval of the minister concerned and the Minister of Finance, and to review by the Committee on Appraisals.[3] If the value of a purchase runs above two million dinars, then the

[3] See below, p. 193.

express approval of the entire cabinet is necessary to its validity.

Purchasing is not centralized in the hands of a single agency, although the Committee on Appraisals, to which reference has been made, acts as a centralizing authority for the standardization of materials and prices. Each ministry makes its own purchases within the limits of the law.

Bidding is conducted in two ways: either by receiving offers in writing sealed or at open auction, as the minister or his authorized agent deems more appropriate, the idea being to obtain the best possible price. Whenever a purchase is to be made by competitive bidding, the authority that invites the bids appoints a commission of three civil servants to take charge of the proceedings. Specifications are prepared and advertised. If the purchase is by written offer, the respective bids in sealed envelopes, with the names of the bidders separately filed, must be placed in the hands of the commission within the specified time. On the day fixed, the bids are publicly opened, and the lowest bid which complies with the terms of the law is accepted, provisionally, until the minister or his designee acts in the case.

As already indicated, all purchases ranging upward from 100,000 dinars—in the case of the War Department, 400,000 dinars—must go to the Committee on Appraisal for review and be approved by the Finance Minister as well as the minister within whose jurisdiction the transaction falls. In practice the operation is as follows. Reports of the results of competitive bidding, conducted as above described, must be submitted,

with accompanying documents and samples, to the Finance Minister. Each report must show the law and the authorization for the action, specifying the Article and Item of the budget allowing such expenditure. It must also include calculations indicating how the price was reached, the various bids submitted, the minutes of the proceedings of the purchasing commission, with its decision, signed by the members and by the minister at the head of the department concerned. On its arrival in the Finance Department, it is laid before the Committee on Appraisals.

This Committee consists of ten members—three delegates from the Ministry of Finance, including the head of the general directorate of accounting and the head of the budget division or bureau; three delegates from the War Ministry; two from the Ministry of Communications; one from the Ministry of Posts and Telegraphs; and one delegate from the Ministry of Industry and Commerce. The President of the Committee and five members constitute a quorum and, subject to this rule, the President may invite delegates at will, according to the nature of the business on the carpet. Members representing a ministry whose purchase is under consideration cannot vote. Members who vote in the negative on any proposition are required to give their reasons in writing for the records of the Committee.

The prime function of the Committee is to act as an adviser to the Minister of Finance on whose shoulders falls the responsibility for approving all important purchases. It can summon witnesses from the departments and from the self-governing bodies of the

country and citizens at large whenever, in its opinion, they can give expert aid. Thoroughly informed with respect to specifications for materials required by the government and to the price markets of the world, the Committee is a permanent guardian of fundamental and detailed data on purchases. Its opinions are rendered on concrete cases of purchases. Its authority is not absolute, but advisory. Yet it is hardly probable that any Minister of Finance would disregard its verdict except in circumstances of such importance as to constitute safeguards in themselves.

If the law relative to the purchase of supplies complies in most respects with the modern standards, in operation it does not escape attack. Four criticisms in particular are most commonly heard. First, it is sometimes contended in business circles that the law is a "friend and creature of the bureaucracy" and that "it defeats the purpose of getting good work done at the lowest cost." For example a technical writer in the business columns of a Belgrade paper complains that the purchasing commissions of the respective departments of the government, fearing charges of corruption, as a rule let contracts to the lowest bidders without taking into account the credit and character of the contestants. Thus it may happen that firms, financially weak and technically incompetent, will receive contracts and defeat the requirements of the law by doing bad work or furnishing inferior commodities.

The second complaint frequently encountered is that the government does not pay promptly enough and sometimes defaults on its agreements. For instance in November, 1927, the Minister of Communications

entered into a contract with coal companies for deliveries at a specified figure and undertook to pay, within thirty days after delivery, in cash. A few weeks after the contracts went into effect, the Minister of Communications informed the contractors that he could pay only part in cash and that for the balance they must accept bonds bearing no interest and redeemable at the opening of the fiscal year 1928-29. Having exhausted its turn-over credit at the National Bank, the government was not equipped for emergencies and in purchasing supplies was compelled to accept the unfavorable terms usually afforded to concerns with doubtful credit. As a result, it pays more as a rule for its supplies than do first-class business concerns.

The third complaint comes from the provinces. Business men from the various sections contend that while purchasing is not efficiently centralized within the ministries of the national government, it is concentrated in Belgrade, to the neglect of other commercial centers. Finally, it is alleged, there are too many shrewd lawyers engaged in persuading purchasing officers to adopt specifications which favor their particular bidders.

Such evils, if they exist in serious proportions, are not without remedies. The first can be met by the perfection of standard specifications and by excluding from bidding all firms that cannot show the financial and technical backing necessary to compliance with the terms of their contracts. The second can be met by provisions for a sufficient turn-over capital, even if it means a slight increase in the national debt. If, for example, more of the cost of building construc-

tion were transferred from taxes to loans, the reserve fund of the government for meeting its current bills would be sufficient to enable it to attain the position of a first-class business concern. It is the cash buyer who is most welcome in every market. To the third and fourth complaints no satisfactory answers could be made without a study of the circumstances in the case. If the Committee on Appraisal functions properly, there should be no favoritism toward Belgrade merchants. A parliamentary inquiry could develop information on the point and all the sections of the country are well represented in the National Assembly.

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Recognizing the importance of a scientific inquiry into the whole field of national administration, the Finance Minister made provision, in connection with his budgetary reforms in 1927, for "the creation of a state commission for the introduction of economy and scientific state management, and primarily for the simplification of administration. This measure, based on the example of Great Britain, may have extremely satisfactory results. It is well known that the state machine is too costly for the country in its present condition. This is due, on the one hand, to the exaggerated economic and financial optimism which seized the present Kingdom after victory and union, and, on the other hand, to the unfortunate internal political situation at that time when compromises had to be made with the numberless parties and factions by giving each a part in the management of the country. Now it is very difficult to rid the country of the dead

wood of these unnecessary civil servants who have entwined themselves in the system." [4]

The hope thus expressed in the summer time was blasted before winter. The commission was appointed, but it was never convened. A general election broke the course of things, the Finance Minister who took the post of chairman suffered from ill-health and was, besides, heavily burdened with the regular duties of his office, and the proposed inquiry was never begun.

Doubtless it was a mistake to make this commission dependent upon the good-will and initiative of a ministry whose activities would naturally come closely under the scrutiny of a scientific inquiry into budget methods, civil service, the management of accounts, and the purchasing of supplies. It would have been more fitting if with the members of Parliament designated for the commission had been associated some competent technicians, representatives of the state employees, and leaders of business enterprise. Such a body fully authorized to examine books, summon witnesses, and inquire into administrative practices could make a report which would command more attention in the country than any official document presented by one or both parties to the case, that is, either the executive or legislative branch of the government. Until such an inquest has been made according to scientific principles any account of the Yugoslav administrative system as a going concern must be partial and inadequate.

[4] *Belgrade Economic Review,* June, 1927.

CHAPTER IX

THE BUDGET SYSTEM

If correctly made in accordance with modern standards, the budget of a country reflects with fair accuracy the ideals of its citizens, the work of the government, and the methods of parliamentary and accounting control. The appropriations contained in the budget indicate the functions of administration for which the taxpayers are willing to open their purses. As the government can carry on no enterprises without employing persons and buying materials, the budget gives a certain mathematical reckoning of its operations—a reckoning which cannot be obtained from political speeches or legal treatises. Finally, the devices applied in preparing the budget, in scrutinizing and adopting it, and in assuring the legal and efficient execution of its provisions show whether it is made in the dark or in the full light of publicity and whether there is any way of checking the spending officers after credits are voted. The standards to which reference has been made are not fanciful, the fruit of theory; they are the product of centuries of experience and refinement and are derived from a generalization of the best practices in all countries of the world. In the case of Yugoslavia, they are to be found in the Constitution, laws, parliamentary rules, and customary procedures.

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With respect to the preparation of the budget, the provisions of the Constitution are brief. They stipulate that the document shall be laid before the National Assembly, at the latest, one month from the date of its convening, ordinarily October 20th of each year, and that with the budget must be submitted, for examination and approval, the final report for the last ended fiscal year. The form of the budget is to be prescribed by Act of Parliament and in pursuance of this prescription explicit provisions are laid down in the financial law of the Kingdom.

Responsibility for the preparation of the budget in each department or ministry is centralized in the hands of the accounting officer at the head of its accounting bureau. This officer is appointed by the Minister of Finance and is subject to the latter's orders.[1] Upon the accounting officer is placed the primary duty of supervising the preparation of the expenditure estimates of the department in question. He must see that the various bureaus, divisions, and offices of the department submit their requirements for the ensuing year in accordance with a detailed plan for developing information relative to all such expenditures. For this purpose uniform blanks are provided. Estimates so prepared are assembled in the department under the eye of the accounting officer, scrutinized by the minister, pruned in response to orders from the Minister of Finance, and consolidated in one departmental statement.

[1] The Ministry of Foreign Affairs, however, enjoys a special autonomy in this relation.

From the accounting offices of the several ministries the estimates pass to the Ministry of Finance in which has been erected a budget bureau charged with the duty of surveying and consolidating them. Since each minister, in accordance with a custom that is well-nigh universal, asks for more than a balanced budget will permit, it is the task of the Minister of Finance to analyze the assembled requests and to cut them to suit the available revenues, at least those allowed by his tax policy. In case of a serious dispute between the Minister and one of his colleagues over a proposed cut in an allotment, the issue is taken to the Council of Ministers and, if not settled there, it is referred to the finance committee of Parliament for adjudication. Indeed, while in theory the Assembly cannot increase the estimates laid before it for approval, it does often in fact compel the Finance Minister to make concession and grant increases here and there. All depends on the strength of the Minister. If he has a complying temper or is weak in his parliamentary support, he may be frequently overruled.

Strictly speaking, with reference to the correct usage of the term, the word "budget" does not mean merely an act appropriating money, although it is often employed in that narrow sense. In fact, it is a collection of papers and statements among which the proposed bill of expenditures for the coming fiscal year is merely one document. In Yugoslavia, the first document laid before Parliament is the "Survey by the Minister of Finance of the Proposed Budget" for the ensuing fiscal year, a paper now made available in French and English as well as in the national tongue.

This statement, which is elaborated by oral explanations both directly and in response to questions, naturally varies from year to year, according to the emphasis which the Minister for the time being places upon various phases of public finance. But each year it contains certain fundamental elements. A balance sheet, of course, is always included. This presents the proposed expenditures classified under five fundamental heads: the supreme state authorities, pensions and aids to the disabled, public debt charges, appropriations to the several departments arranged in order, and reserves for emergencies. The expenditure program is then balanced by a revenue statement divided into the main sources of state income. By a recent innovation, the expenditures and receipts of the ordinary branches of state administration are separated from those of state enterprises, such as railways, monopolies, and other income producing activities.

Then follow such additional information and explanations as the Minister sees fit to add. In the "Survey" for the year 1928-29, for example, are included a discussion of the proposed expenditures in relation to the economic condition of the country upon which the burden falls, a consideration of economies to be realized later, an analysis of the expenditures from various angles such as the amounts laid out for personal service and the purchase of materials, a classification of the expenditures from the standpoint of necessity and social utility, a criticism of the revenue side of the program, and a review of proposed measures for raising the economic standards of the country at large. An examination of the "Surveys" of recent years shows

that a great deal of valuable information is contained in these miscellaneous statements, and it is to be regretted that with regard to certain fundamental points the successive ministers have not followed a fixed rule and discussed the same problems every year. Perhaps in the course of time a standard procedure in this relation will be perfected and incorporated in practice, if not in law.

The second paper in the collection of budget documents is the proposed financial law for the ensuing year. For the year 1928-29, the bill contains three sections with a balance sheet at the end. Included in these sections is a great deal of miscellaneous legislation, in the form known in America as "riders to appropriations." Besides this miscellany are to be found a statement of the total sum to be appropriated and the taxes to be authorized to cover the outlay, a declaration enacting the said appropriations and revenues into law, certain provisions controlling the disbursements of sums authorized, and a number of special appropriations for local and particular purposes.

Third among the budget papers is a statement of proposed expenditures in lump sums by principal heads compared with similar outlays voted for the current year not yet ended. For practical purposes this analysis is of little use, because the comparison does not show actual outlays for any period. The same criticism applies to the revenue statement added in the form of a balance sheet.

After the generalities and legislation come the details, namely, the ministerial statements, containing proposed appropriations, in the form of printed pam-

phlets. Some of these papers are prefaced by extensive explanations and reports and make valuable documents for the study of departmental activities. Others have merely a few lines by way of introduction. As yet no law or custom lays upon the minister the obligation to report, in any definite form, his operations past or projected.

Following the prefatory remarks, if any, are the proposed expenditures classified by Articles and numbered seriatim from one to the end, seventeen or eighteen hundred as the case may be. These Articles are the units voted by Parliament in adopting the budget bill. The Articles in turn are classified into two broad divisions for each branch of department outlays, namely, personal service, showing the number of employees of specified grades at standard salary rates, and amounts laid out for materials, including under this head, besides goods, such matters as rent and traveling expenses. In some departmental statements, the Items under each Article run into great detail while in others they appear in the form of rather large lump sums. By the way of comparison, each Article of proposed expenditures is accompanied by a parallel entry showing the allowance for the current year, not the actual outlay for any ended period.

It is fair to say, however, that this deficiency in practice is not due to neglect. The law contemplates, indeed requires, the addition of comparative tables showing the actual expenditures by Articles for the previous ended fiscal year. But the state of public accounts has not permitted this performance. Owing to the derangement of finances during and after the

World War, the uncertainty of the floating debt, and the complications arising from the unification of different territories with different currencies, the national auditing agency, the Supreme Accounting Court, has not been able to bring its detailed audit down beyond the fiscal year 1924-25, but it is expected that during the year 1929 the adjustments of accounts will be completed. Thenceforward it will be possible to have past expenditures paralleled in detail with proposed outlays. If sound practice is followed, the comparative statement will take the form of an analysis by Items as well as by Articles, thereby permitting a closer scrutiny than is at present possible.

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In accordance with the requirements of the Constitution, the budget on its introduction into Parliament is referred to the finance committee. This committee is composed of thirty-one members, each one of whom has a substitute to serve as required. It is elected by Parliament on the principle of proportional representation, so that each party or group is granted a voice in its deliberations. Members of Parliament who are not members may attend its sessions but they cannot speak or take part unless they are there in the capacity of substitutes for members who are absent. As a matter of fact, this custom permits parties to employ certain important leaders as substitutes at strategic moments without burdening them with routine performances.

After receiving the budget documents, the finance committee holds meetings which run through the holi-

days while Parliament is adjourned and are concluded in time to make the report to the house shortly after the opening of the new calendar year. To these meetings are admitted members of the committee, members of Parliament as spectators, the minister of the day and his technicians, and representatives of the press. The general public is excluded on the theory that, if miscellaneous visitors were admitted, the members would often speak to the galleries rather than to the points in hand. A record of attendance is kept as a check upon members. By way of illustration, we give an account of a fairly typical hearing as viewed from the reporters' benches, with the courtesy of the committee.

The session opens with a long oral statement by the minister of the day, taking up in great detail the printed document already in the hands of the members. In this statement the proposed increases and decreases are explained with reference to the departmental work to which they are related. Ways and means of cutting expenses are surveyed and the public policies involved in continuance or alteration of the departmental program are discussed. In form and tone the minister's address is business-like; no effort is made to appeal to the emotions or partisan sentiments of the members. His voice is seldom raised above a conversational level and then only to emphasize a detail or reply to some stinging criticism from the floor.

During the minister's statement, interruptions occasionally take place, although they are in fact out of order. Sometimes the interruption is for the purpose of illuminating a detail, sometimes to make a personal

or partisan objection. Two examples of interruptions may serve as illustrations. In the course of his statement, the Minister of Communications remarks that the government now has available in New York a certain sum of money under the terms of a loan for railway construction. Interruption: "How much interest are you paying on this money?" Answer: "Seven per cent." Interruption: "How much interest do you get on the money kept on deposit in New York until used." Answer: "Two and one-half per cent." Laughter. On another occasion parliamentary amenities were not so nicely observed. During his statement the minister then on the carpet was interrupted by a cry from a member: "You are a Dalmatian gypsy." With some heat, the officer replied that his ancestors were settled in Croatia five hundred years before, when the questioner's ancestors were wandering gypsies. To this thrust, the belligerent member replies: "Then you are a Dalmatian idiot." If the dispute did not throw light on any particular item in the budget, it did make a headline in the newspapers the following day.

As the minister proceeds with his exposition, activities on the floor vary. Some members follow carefully with pencils in hand and with papers spread out before them, perhaps busily preparing answers and criticisms. Others, especially of the minister's party, sit comfortably with satisfaction shining from their faces. Still others seem bored and resort to frequent draughts of tea and coffee, which are served on order by the attendants. During the process, the reporters, following the custom of the trade, take notes according to their requirements. Two or three representing

the leading papers keep rather busy recording the speeches verbatim or making full digests of the minister's exposition. Interruptions and disputes appear to be welcome relief, affording a little "human interest" to financial reckonings.

After the minister concludes, at the expiration of an hour or two, the discussion is opened by a representative of the opposition who has a sheaf of papers and notes before him as he sits at his bench. Evidently he has made a careful study of the technical questions before the committee, and he proceeds to attack the ministerial proposals in general and detail. Like the minister, he speaks in a conversational tone, in a voice so low in fact that the minister has to strain to hear and must often ask for a repetition. In the way of generalities, the speaker attacks the minister for punishing subordinates and transferring them in violation of law, accuses him of padding his payrolls with politicians, and alleges that supplies are wastefully and corruptly purchased. Taking up details as illustrations, he asserts that the coal purchased for the railways is not of the best quality and most economical in use and urges the purchase of another type of fuel. Then he comes down to cases, declaring that a certain number of cars, not needed, were purchased and "kept at Maribor to rot." At the session here described, the speaker kept on mercilessly for upwards of two hours. More than once the chairman asked him if he was not about through with his address, but he continued his attack in spite of the fact that he had passed his time limit.

While the speaker is criticising the ministerial state-

ment, the minister himself sits calmly in his seat, taking notes, sometimes making a brief reply to a particular point, and on one or two occasions thanking his assailant for the information offered. Indeed, with regard to one issue, the minister expresses a special concern and assures the speaker that concrete assistance in remedying the evil mentioned would be welcomed.

Behind the minister is his corps of technicians who likewise follow with close attention the attack on the work of their department. They, too, take notes and apparently welcome every suggestion that promises an improvement in their branch of the public service. To the left of the technicians and facing the floor, the reporters work, talk, or doze according to their respective interests. Good points for party news are not overlooked and personal altercations bring attention to every eye. Whenever the critic makes a neat point, the members of the committee give heed to his remarks, but as a rule they little note nor long remember what is said. None of them goes to sleep but some of them look tired while others walk up and down in the rear of the chamber engaged in conversation.

Curtailing his remarks somewhat as the evening draws on, the opposition speaker finally comes to an end. The minister shifts a little bit on his hard chair and glances around to see who is to attack him next. Then the minor political opponents air their opinions. With respect to matters of detail they have little or nothing to add to what has been said. Apparently the requirements of party politics or an urge to eloquence rather than superior competence moves them to action.

One speaker, more given to heat than to light, begins a loud harangue, standing in his place and waving his arms like a windmill. The minister, the chairman, and the technicians keep the appearance of attentive listeners, but the committee at large dissolves into little knots eagerly talking while the lone orator relieves his feelings. At times the committee seems to stand adjourned, but the orator is not discouraged. Even the neglect of the reporters produces no depressing effect upon his exuberance. At last, for reasons of his own, he quits.

At the end, when it is clear that there are no more speakers desirous of expressing their views or illuminating the budgetary questions before the committee, the minister replies to the critics, taking up the points not yet disposed of in the interchange of views that has already taken place. His valedictory is followed by a vote on the credits for which he has asked. Perhaps he allows changes on the basis of the information received or the demands made. Perhaps the credit is approved as asked. In fact, the party chiefs have already decided before the meeting or in the course of its proceedings the outcome of the deliberations. The committee rises, reporting its action to the National Assembly at the proper moment.

It would be a mistake to assume, however, that the sessions of the finance committee are always as peaceful as the one just described and that the discussion is uniformly confined to the elucidation of minute points in the minister's budget proposals. On the contrary, many meetings are stormy, particularly when cabinet officers of great administrative authority, such as the

Minister of the Interior, are on the carpet. If this spokesman of the government is under scrutiny, he will probably be accused of using the money voted for the purpose of dictating elections. If a Radical, he will be accused of exercising bureaucratic tyranny in the interests of Serbia, of ruling Macedonia by an unnecessary concentration of military force in that region thus stirring up ill-will instead of pacifying the people, and, on occasion, of corruption either directly or through some member of his family or party. When the War Minister's budget is up for analysis, there are usually questions concerning the outlawry of war, the reduction of service, the education and treatment of the soldiers, and the purchase of supplies for the army directly from the people instead of contractors. But the reply of the Minister, in speaking on his proposals for 1928-29, could be stereotyped for universal use: "Gentlemen of the Parliament: I assure you that our good and heroic army fully deserves all that it needs because it has always shown that in war and peace it is modest in its requirements, that it is full of sacrifice and patriotism, and that it enjoys the highest place among the best armies that have an abundance of everything. I beg the members to accept the proffered budget as a whole as representing the minimum of what it can accept. . . . Until war is outlawed, we must be prepared."

On the day following each session of the finance committee, the proceedings are reported at length in the press of the capital and the provinces, "Politika" and "Pravda" giving perhaps a full page to the record. As a rule the facts developed are fairly covered without comment. A comparison of the newspaper accounts

with the proceedings as actually witnessed will convince anyone that, on the whole, they represent good journalism—accuracy as to fact statement and justice as to the contending parties. Thus it may be said that the country as well as members of the Parliament can easily learn just what work the government proposes to do and how it plans to finance it.

Although the function of the finance committee is formally discharged by reviewing and reporting the budget to Parliament, as a matter of fact, its members perform many collateral duties. For example, on the day of the session reported above, we saw the Vice Chairman of the finance committee standing in the corridor of the Parliament building before the door of his party club surrounded by a group of twelve or fifteen peasants headed by the local teacher from Batanja. The group had been sent by their neighbors to complain to the finance committee against high and unequal taxes and against the removal of a local official at the instance of a member of the National Assembly elected in the Banat by the Land Toilers party. With perfect courtesy and self-possession, the Vice Chairman listened to the protests and then answered by stating that their petition would be laid before the finance committee with his recommendation for action. By these and similar practices, the nation is kept informed respecting public expenditures, and citizens who wish to be heard on any point may bring their arguments and petitions directly to the attention of the authorities. Besides selecting delegations to be sent to Belgrade, citizens organize local meetings while the budget is under debate and invite prominent speakers

to discuss the financial measures of the government, especially those pertaining to taxation.

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After the finance committee has considered the proposals of each minister, and voted them Article by Article, it reports a consolidated financial and appropriation bill to the Parliament, accompanied by information as to the changes made in the requests presented on behalf of the government. In reviewing the committee report, the Assembly is limited by certain constitutional provisions. Theoretically it cannot increase the items submitted; it can merely lower or omit them; practically as already indicated it may, through the negotiations of the finance committee, effect upward as well as downward revisions. The Constitution also stipulates that the budget must be approved by Articles. If necessary on account of delays, the Assembly can approve one-twelfth of the budget for one or more months until it has acted on the complete budget in hand, and if it is dismissed before the budget is passed, the budget of the expiring fiscal year may be prolonged by decree for not more than four months.

In passing upon the budget report from the finance committee, Parliament takes up the departmental allowances in a fixed order. Each party club is permitted to choose two members to speak upon each project in turn, and other members may speak at the discretion of the chair—a privilege which is usually exercised with generosity. Under the rules, the discussion is divided into two parts: first, a general debate,

and then a debate on details, with a different time limit on the speakers for each occasion. Naturally the more general discussion comes first. For this each speaker is allowed one hour and a half, but the restriction is not rigidly applied; members sometimes speak for three or four hours without being cut off by the presiding officer. When the party spokesmen have consumed their time, individual members are heard, according to the rules, for one hour each, in practice usually longer.

Every day after it is reported from the committee the budget must be considered by the chamber and it always enjoys precedence except on interpellation days and in times of extraordinary business. In any case, it is supposed to be adopted within two months. The consideration is Item by Item, and the voting is done Article by Article. At the end, there is a vote on the budget as a whole, but it is merely a registration of opinion and takes the form of a party vote.

Like the hearings before the finance committee, the debate in Parliament opens with a statement by the Minister of Finance or his representative, affording an occasion for a general review of the government policy by its spokesman and by the opposition. As the allotments for the ministries are taken up one by one, the appropriate officer opens with his explanation and defense. Since most of the controversial points have been disposed of in committee or at least aired to the satisfaction of all the party organizations, the debate in general and detail refers principally to considerations designed to support or unhorse the administration in power at the time.

Covering all the proposed work of the government, the budget invites a discussion of all issues in foreign and domestic politics. From day to day until the vote is taken the debate proceeds, often with great partisan acrimony, furnishing lively news for the press, financial, partisan, and personal. It is a happy hour that passes without an exchange of strong words, and from time to time the president must call members sharply to order for the use of unparliamentary language. Questions and interruptions are constant.

With such freedom does the Assembly proceed that no one can justly complain that he has not been heard to his heart's content. Naturally the oratorical exuberance flows over the limits set by the questions before the house, but no one who takes the trouble to follow the deliberations over the budget can fail to discover the essential features of the government's program of expenditures and revenues. If the proceedings are drawn out at a length too great, the closure may be applied as in the case of other legislation, but in practice freedom reigns and the final vote is taken after all voices have been heard. Frequently, however, voting is delayed until the very last day of the fiscal year, that is, March 31, and the budget is driven through in the closing hours—sometimes accompanied by rider legislation which could not be carried by any other process. In witnessing this operation, any person familiar with the methods of American state legislatures will feel quite at home.

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No matter how well drawn in relation to efficiency

and honesty of administration, an appropriation law is in itself a dead letter. It can only be made a living thing by providing regulations and competent agents for carrying its rules into effect. This fact is recognized in the budget procedure of Yugoslavia. By constitutional provision and legislative act, safeguards are thrown around the execution of the appropriation law. By Article 113 of the Constitution, it is stipulated that savings from one Article of the budget cannot be used for payments falling within the scope of other Articles and that surpluses must be returned to the treasury unless otherwise authorized by Parliament. The financial law which accompanies, and is an integral part of, the appropriation act goes into great details. For the year 1928-29, to use an illustration, the act provides that the Articles and Items as voted by the Parliament are law and that the appropriations made therein cannot be used in any other manner than as indicated by their explicit terms.

Of course the rigidity thus established in principle must be subject to certain necessities and contingencies; otherwise the hands of the administrator would be tightly tied throughout the fiscal year, making no allowances for unforeseen contingencies. In accordance with the practice of other European countries, the law in Yugoslavia provides for transfers and variations within prescribed limits.

In the first place, variations are permitted only within the same Article and then only when sanctioned by the appropriate minister in accordance with the terms of the accounting law. In the second place, no variations can be made for the purpose of increasing

salaries, bonuses, aids, and subventions, except those which come automatically under the rules of the civil service law. All other increases are closely controlled with reference to the actually increasing needs of ministries, as specifically enumerated in the law. Besides these limitations on changes in the budget as voted, there are two accounting checks on the variations. All variations must be immediately reported to the Supreme Accounting Court and to the general directorate of state accounts in the Ministry of Finance. At the end of the year, they must be reported to Parliament in a form which gives the Article and Item of each variation and the reasons for it.

Complete machinery for the execution of the budget is set up in the Finance Department, in the form of a general directorate of public accounts. That directorate, at the beginning of the fiscal year, opens books for each ministry, showing by Heads, Articles, and Items the precise credits voted in the appropriation act. In drawing upon the Finance Ministry for money allotted to him by law, each minister uses a uniform blank stating the Head, Article, and Item under which he makes requisition for funds. As allowed, such requisitions are entered upon the books of the accounting directorate in a manner that shows not only the precise transaction but the balance available to the minister in question. All agencies handling state funds must give an accounting to the general directorate every month, under provisions for civil and criminal liability. In connection with the collection of taxes, similar provisions are made for control and accounting and all collecting agencies, besides turning over their funds

to the National Bank, which acts as the treasury, must report monthly to the general directorate. Officials, bent on corruption and malversation, must therefore break through many barriers set up in conformity to the best modern accounting practices.

The function of continuous auditing, supervising the execution of the national budget, and making final reports of closed fiscal periods is entrusted under the Constitution to a central bureau of control *(Glavna Kontrola)* which acts as the Supreme Accounting Court. A special effort is made to assure independence. The members of the Court are selected by the Parliament from a list of candidates containing twice as many names as there are vacancies, presented by a high and independent agency, the State Council. The president and one-half of the members must be jurists and the other members must have been ministers of finance or officials who have seen ten years of service in the executive financial administration.

The duties of the Court are precise and exhaustive. It must see that no expenditures are incurred in violation of the budget and that no transfers are made from one Article to another. It is charged with the duty of inspecting, correcting, and liquidating the accounts of the general administration and of all persons who are obliged to render accounts to the state treasury. It inspects the accounts of all branches of state administration, collecting the necessary information and evidence in the process. Finally, it must render to the National Assembly for approval final accounts of the ended fiscal year, at the latest within twelve months of its close.

In practice, the operations of the Supreme Accounting Court have proved difficult. At the outset of its new career, after the union, it confronted a great mass of confused and floating accounts left as a legacy of the war—unpaid bills and warrants upon the treasury. Besides this, it was called upon to deal with the amazing situation created by the necessity of revaluing Austro-Hungarian money and translating accounts in terms of the dinar, which was itself unstable for several years. Notwithstanding its labors, a part of the floating debt is still uncertain and at the opening of the year 1928 the Court was two years behind in its reports to Parliament on the annual accounts. In form and content, however, its last report, for the fiscal year 1924-25, a huge volume embracing more than fifteen hundred pages, covers the execution of the budget for the period under review in a manner to meet the requirements of the most exacting member of the finance committee.

Referring to the national debt, it may be said in passing that during recent years the government has emerged from the tangle of the war period and now presents to Parliament with its budget proposals a complete report on the funded debt of the country, listing all the loans with the terms and conditions of each. There are no "back stairs" loans. Each new loan is approved by Parliament as made and, at the time, the provisions of the contract dealing with the interest rate, commissions, and amount realized are laid before the members. It is only in relation to the floating debt that some obscurity exists. In fact, this is the weakest feature of the budget and financial

system. As already indicated, this is due in part to the war legacy, but it may be added that the government has not been as efficient as it might have been in closing up the loose ends of the floating obligations.

For this reason the official statement that the budgets for the year 1922-23 and for subsequent years have been balanced without a deficit must be taken with slight reservations. Dr. Slavko Shecherov, Vice Chairman of the finance committee of Parliament, reckons the actual deficit for 1922-23 at a thousand million dinars and for 1924-25 at nine hundred million dinars. Moreover the National Bank long complained that a loan to the amount of one billion dinars, secured by treasury bonds, originally made for the purpose of supplying turnover capital to the government, had been almost exhausted and had not been repaid. The Bank in its report for 1927 urged the consolidation of this debt and repayment for the purpose of giving the government a margin of credit in time of need, but still it stood open on the books of the Bank.[1] Until the Supreme Accounting Court has brought its auditing up to date and closed all open accounts, the precise amount of the floating debt will remain a matter of speculation. Enough is known, however, to warrant the statement that is not large enough to be a disturbing factor in public finances. It is the uncertainty rather than the size of this debt that makes a final reckoning important in the interest of the public credit.

[1] A settlement of this account was arranged in the summer of 1928.

CHAPTER X

NATIONAL ECONOMIC PROBLEMS

Apart from the single issue of land reform in its various ramifications, all the pressing questions of Yugoslav economic policy can be summed up under a single formula: the provision of the legal terms and conditions upon which Western capital can be induced to develop the natural resources of the country. Theoretically, of course, the state might undertake this work on a socialistic basis, but assuming this were desirable, it can command at present neither the finances nor the engineering efficiency necessary for such a gigantic enterprise. Theoretically, also, it could hand its natural resources over to capitalists to exploit on their own conditions; that is, grant them mineral, timber, and water-power lands in fee simple, giving a free rein to the acquisitive instincts and using as a model the policy pursued by the United States government in dealing with its public domain until the opening years of the twentieth century. But, again, assuming this were desirable, it is out of the range of practical politics, for Yugoslavia is a land of peasants fearful of great capitalism and it is governed by a bureaucracy which, as a matter of interest as well as policy, cannot surrender national property to capitalists for unlimited exploitation—all the more because capitalism would be mainly foreign in origin.

Nor can it be said that American experience in dealing with natural resources by making speedy transfer to private ownership has been entirely fortunate from any point of view, though immensely stimulating to business enterprise. Besides, the general practice of European countries, with which Yugoslav statesmen are most familiar, runs dead against any such system of individualism and *laissez faire*.

Therefore, Yugoslavia must choose a difficult middle course, that of making provisions liberal enough to attract foreign capital, without arousing any unnecessary and menacing hostility on the part of the peasants and without making an undue sacrifice of national rights and property. Indeed, the plotting of this middle course is the supreme economic task of Yugoslav statecraft. Were the correct way found and the country started on the career of prosperity to which it is entitled by virtue of its material endowment, most of the other questions vexatious to the politics of the country could be more easily handled or would sink into the background. There is warrant for concluding, therefore, that the establishment of correct legal conditions for the operations of capitalism [1] is the most important legislative business in hand, unless of course it is deemed desirable, for reasons of state, to keep the country in a backward stage of agricultural civilization and prevent the development of natural resources and capitalism—with the peculiar problems and difficulties which it would bring in its train.

[1] The chaos of the present laws relative to business corporations is well indicated in *The Near East Year Book* for 1927, pp. 101-135.

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The outstanding issue in Yugoslavia, land reform, has never been, and indeed cannot be considered as a purely economic problem. Throughout its development, considerations of national policy and economy have been dominant. To understand this it is necessary to make a reckoning of certain stubborn facts. First of all, the idea of economic emancipation, whether justifiable or not, was widespread among the peasants of Yugoslavia at the close of the World War. No government could ignore that. In the second place, the revolutionary seizure of land by peasants and the parceling out of great estates had already begun at the end of the war, especially in Voivodina, Croatia, and Bosnia. This process of expropriation was facilitated by the knowledge that a great many of the estates belonged to landlords who were residents in foreign countries, above all, Austria and Hungary. In the third place, Serbian politicians, depending for support upon a peasant democracy, hoped to strengthen their position in the country by assimilating the agrarian economy of the other sections to that of their own. Recalling these facts and remembering the revolutionary reverberations that were shaking all Western civilization at the close of 1918, it becomes evident that haste in land reform was inevitable, that drastic measures could not be avoided, and that fine points in agrarian economy had to be subordinated to the exigencies of national policy.

Broadly speaking, the process of land reform was divided into three stages: (1) proclamation and legisla-

tion, especially 1918-23; (2) execution, 1921-25; (3) relaxation in interest and deadlock over compensation and final adjustments.

The leading documents in this history are as follows:

1. The royal proclamation of the Regent Alexander to the unified nation, December 24, 1918. In this document the regent called for a solution of the agrarian problem, the abolition of serfdom and large holdings, a division of land among the poorest land toilers, and fair compensation for the old proprietors.

2. The royal ordinance issued by the ministerial council on the motion of the Minister for Social Politics, February 25, 1919. This document lays down the fundamental conditions for the abolition of servitude in all its forms, the division of great landed estates, the disposal of forests, and the organization of administration for executing the decree.[2]

3. The ordinance of July 21, 1919, later given the form of law, fixing the maximum holding of land.

4. Fundamental provisions of land and property law included in the National Constitution of 1921, especially Articles 37, 38, 41, 42, and 43.

5. Ordinance of May 12, 1921, abolishing servitude in Bosnia and Herzegovina, distributing land, and providing compensation.

6. Law of June 10, 1923, relative to the expropriation of large holdings and colonization.

The execution of the land laws falls naturally under certain heads. First of all we may consider the division

[2] Matl, *Die Agrarreform in Jugoslavien,* pp. 30-34, for German translation.

of great landed estates—an operation which affected primarily Voivodina, Slavonia, Croatia, and Slovenia. This operation, according to the statistical reports of 1925, involved 923 estates comprising a superficial area of 2,089,082 cadastral yokes (1.42 acre) of land. From these estates nearly one-fourth, embracing mainly arable land, was cut out for division among the peasants. On the land so appropriated were settled 182,536 families of neighboring residents who received shares ranging on the average of 1 to 3 cadastral yokes, 7,299 families of local volunteers, 2,152 families of local colonists. This distribution consumed about three-fourths of the land appropriated, while the balance, namely, 128,699 cadastral yokes, went to war volunteers and colonists from other sections of the country.

The second phase of the land reform was the abolition of servile tenure—an operation affecting mainly Bosnia, Herzegovina, Dalmatia, and Macedonia. The significance of this undertaking in Bosnia and Herzegovina is demonstrated by the following table based on the statistics of 1910:

Total number of inhabitants	1,898,044
Persons belonging to proprietary families having serfs	40,460
Persons belonging to proprietary families without serfs	16,182
Members of free peasant families	634,789
Members of servile families	444,920
Free peasants subject in part to servitudes	95,296
Serfs enjoying in part free tenure	110,499

Between 1910, the year of the above figures, and 1918, some serfs, not many, were emancipated. For the year 1918, estimates vary. Dr. Matl fixes the number of servile families on the founding of the Yugoslav state, at 113,103. If we take the figures of 1910, adding

together outright serfs, free peasants working some land under servile tenure, and serfs working some land under free conditions, we have the result, 650,715. Without going further into refinements, it is safe to say that at least one-half million people, or more than one-fourth of the entire population of Bosnia and Herzegovina were emancipated from servitude in the course of the land reform movement and changed into peasant proprietors.

Exhaustive figures for the effects of emancipation in South Serbia and Dalmatia are not available, but servile tenures in those sections were abolished by law. The ordinance of February 25, 1919, specifically dissolved all servile relations in South Serbia and Montenegro and forebade the creation of new tenures of this class. Section 7 of the same ordinance expressly abolished the *colonat* relations and all remaining semi-servile relations between landlords and peasants in Istria, Dalmatia, and other districts of the kingdom.[3]

[3] According to Hermann Wendel, *Aus der Welt der Südslawen*, p. 98, "The *colonat* in the narrower sense of the word as a piece of unadulterated feudalism existed only in the former republic of Dubrovnik. Elsewhere the *colonat* was a private-law agreement between the landlord and the lessee which varied according to the region, and as a rule ran for a season—in the case of vineyards, however, from twenty-five to fifty years. As a general rule, all of the relations grouped together under the name *colonat* bound the peasant to pay to the owner sometimes a tenth, most commonly a fourth, frequently a third or more of the harvest. If the average *colonat* arrangement could not be spoken of juristically as a feudal relation, nevertheless it was economically beset with all the evil consequences of a feudal system." When the *colonat* was dissolved by law in Dalmatia, the question of compensation to landlords was not automatically solved. In practice, many landlords applied to the courts for process in collection and were favorably received. Such actions were followed by open resistance on the part of the peasants, which culminated in government intervention on their behalf, forbidding the

How many people found their status changed by the land reforms above sketched? Absolute figures are not at hand, but fairly satisfactory estimates can be made. If we add together the 205,695 families that received land in the distribution, the 93,000 strictly servile families in Bosnia and Herzegovina, and 33,282 families in Dalmatia transformed from landless tenants into proprietors, we have a total of 332,078 families whose status was in some way changed, either slightly or fundamentally, by land reform. It seems safe to conclude that almost 2,000,000 people, or nearly one-sixth of the entire population, were affected by land reform, although in many cases the advantages gained were merely nominal and provisional.

It cannot be said, however, that the process has been brought to a gratifying completion. All of the ordinances and laws dealing with the subject contemplated compensation for dispossessed landlords and for feudal lords whose servile tenures were abolished, with certain exceptions, such as the members of dynasties of foreign countries and members of the Imperial Hapsburg family, and persons who had received land for services rendered to the Hapsburgs. In the case of Bosnia and Herzegovina, a settlement was made in 1921 with the landlords by payment in cash and bonds. As far as this group is concerned the issue may be regarded as closed, although the Moslem landlords are far from satisfied with the adjustment.

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execution of judicial decrees against the peasants. Obviously this was a make-shift operation and left the final settlement open. As long as it remains open, as at present (1928), agrarian economy in Dalmatia will inevitably continue in a state of suspended animation.

With respect to the landlords who were compelled to surrender a part of their land for distribution among peasants and landless people, our conclusion is brief; they have not as yet obtained final indemnity; nor indeed have the recipients of the land acquired their holdings in fee simple. According to a provisional system, the landlords receive from the peasants who took over sections of their estates payments in the form of rent determined by the customary valuations of the locality, usually low. Moreover, the distribution of great forest holdings, which were appropriated by the Constitution for the use of the state, local corporations, and individuals, has not been made. And there is no indication that the government at Belgrade contemplates carrying this drastic provision into execution. Nevertheless, it stands in the Constitution and leaves the owners of forest property in a quandary about cutting and planting.

It goes without saying that an economic transformation as great as that above described has a host of critics and is indeed open to criticism from various angles. Among the critics may be reckoned the secular and clerical landlords and their attorneys, who naturally have good grounds for objections, liberals and conservatives who regard the whole agrarian movement as an attack on private property, Bolshevist in origin and spirit, and, finally, technicians who rest their case on the ground that small peasant proprietorship is inefficient in production and that both forest and land management call for the intelligence and enterprise of great capitalism.

If reference be made to the nature of the criticisms

advanced against land reform, it will be found that they fall into certain rather distinct classes. It is urged that the land policy was determined by national, political, and social motives rather than by principles of sound agrarian economy. It is asserted that in the distribution many people without any capacity for tilling the soil received land indiscriminately, that many of the war volunteers on obtaining grants immediately leased them to the former owners or to neighboring peasants, and that thousands of colonists were settled upon the land without adequate provisions for housing and without capital for preliminary financing. In various quarters it is said that the laws and ordinances were executed by incompetent, and sometimes corrupt administrators. A friend of land reform reports that "whoever would take the trouble to investigate the numerous cases of plundering and favoritism would soon have his hands full; this work . . . would reveal one of the most unpleasant and disgraceful phases of our corrupt administration and public life." Another critic, though an advocate of reform, flatly declares: "Our colonization has not only failed but is a burning shame—a black spot on the first page of the history of our social reforms. What has happened in the so-called northern sections under the name of colonization especially cannot be viewed as colonization." Unquestionably many of the peasants cut down the trees on the forest land given to them, or sold their timber off at once for cash and abandoned their holdings or leased them for anything they could get.

A fair view of the situation, however, would materi-

ally discount these criticisms. Undoubtedly the government was moved by national, political, and social motives rather than by ideas of pure economy. But it may be asked, suppose the government had proceeded slowly and deliberately having in mind only an increase in agricultural productivity, what would have happened? No one can tell. Still, considering the temper of the peasants in 1918 and 1919, with Russian agitation growing ever more ominous, it is highly probable that they would have put to flight any government which long delayed action. Indeed, some of the secular and clerical landlords who are now critical with respect to land reform were in those exciting days alarmed to see houses and barns sacked and burned by an enraged peasantry and eager to save the social order by hurried action. At any rate, the problem was one of calculation in probabilities, and in deciding upon hasty though inefficient action—at the expense of reducing productivity—the government may have spared the country worse evils than those which still hang over from the hasty operations of 1918-23.

Whatever may be the judgment on the past, it cannot be denied that the government of Yugoslavia is now face to face with a number of definite tasks made imperative by the present status of agricultural economy.

Perhaps, first of all, is the need for a statistical study showing how many peasants who received land in the division now hold and cultivate efficiently their allotments; how many peasants have sold their gifts of land and for what reason; how many colonists are still living on their holdings; how many colonists have

given up the experiment. The adjustment of compensation for expropriations, especially in Croatia, Slavonia, Voivodina, and Dalmatia, is urgent; delay interferes with the economic cultivation of the soil in those sections. In Dalmatia the relation between tenants and landlords, in spite of numerous decrees and judicial decisions and projects of law, yet remains uncertain, hampering the application of labor and capital to the soil. If land reform is to be efficient in the end, provisions must be made for the extension of adequate credit to those who are struggling hard to maintain their holdings without the necessary equipment for developing them.

Besides the problems growing immediately out of agrarian reform, Yugoslav agriculture faces other questions equally difficult. In productivity it is far below all the countries of central and western Europe. According to the estimates of Dr. Bilimovitch the yield of winter wheat per hectare during the years 1920-25 ranged from 8.17 to 11.83, while in Germany it was 27 per hectare, and in individual German states sometimes as high as 40 per hectare. As this authority well says, "The increase in grain production appears to be one of the most urgent and most important tasks now existing in the Yugoslav kingdom." This state of affairs is due in large part to the lack of capital and modern implements, the deficiency in agricultural education, and poor communications. It is true that the government is taking steps to increase the credits granted to agriculture, and is promoting education through various technical institutions but the funds available for this work by no means measure up to

the requirements of efficient economy. Moreover, in fixing tariff schedules, the National Assembly has placed high duties on the goods and materials which the farmer must buy for the development of his land. After a survey of the facts in the case, Dr. Bilimovitch concludes that the farmer is at a decided disadvantage in the exchange of his produce for manufactures. No doubt the unfavorable balance is in part due to the fall of agricultural commodities in the world market, but in part also it is a result of the protectionist policy of the government. It is one of the curiosities of Yugoslav politics that, amid all the agitations among the peasants, the question of the tariff on farm implements, textiles, and other manufactured commodities receives very little attention.

Although the adverse tariff does not figure extensively in political battles, no small share of the opposition in Croatia, Slavonia, and Voivodina arises from agricultural sources, especially on account of the delays in land reform settlement. Most of the great sequestrations were made in those sections and the dispossessed landlords there, unlike their brethren in Bosnia and Herzegovina, did not obtain outright compensation. Until the accounts are closed, they receive only a low rental for the land taken from them, not a capital payment. By the same token, the peasants to whom the lands were given have only a provisional interest, not a fee simple title. Of these uncertainties, Mr. Stephen Raditch, former leader of the Croatian opposition, made the most. He himself bitterly objected to forcible expropriation in any form—at least so he flatly declared to the authors of this book in February,

1928. Particularly did he resent the taking of land from rich peasants who had accumulated large holdings by long savings. To his party flocked many landlords who saw no other way of securing satisfaction and many peasants whose titles remained yet in apparent jeopardy. On the Dalmatian coast similar land problems remain unsolved. Until treated by heroic remedies the agrarian question will contribute materially to the continuance of the domestic discord which threatens the unity of the state.

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Among the other sources of internal friction none is more irritating than taxation. This is true of all nations, especially those organized under a federal government or possessing marked sectional differences. It was one of the stumbling blocks in the way of forming the Constitution of the United States in 1787 and has been a subject of acrimonious controversy in American politics down to the latest hour. As far as possible, statesmen everywhere have sought to minimize the inherent difficulties of taxation by resorting to customs duties and other forms of indirect taxes which, being levied in small amounts on articles of consumption, are invisible, and hence the least likely to make trouble for the government. Where such taxes are associated with protective tariffs, as is now the general case, they are doubly welcome to businessmen, especially industrialists who are thus shielded against foreign competition and at the same time can shift the main burden of supporting the state to the masses of the people.

But it is no longer possible to maintain this system in its original purity and innocence, for on every hand there are popular spokesmen, commonly called demagogues in business circles, who denounce indirect duties on consumption as unjust and unequal, compelling the masses to pay taxes all out of proportion to their wealth or earnings. This denunciation is usually accompanied by a demand for taxation based on the ability of the citizens to pay, and the most common proposal to accomplish the purpose is the income tax, progressive in character, increasing in percentage with the amount of income. In the United States, this type of taxation was long assailed because it fell mainly on the rich instead of the poor, and because more than half the amount collected came from four or five states, the most advanced in industry and commerce. Those familiar with the effort of popular politicians to make "accumulated wealth pay its share of national taxes," and the fierce resistance of capitalists in Massachusetts, New York, and Pennsylvania to progressive income taxes, are especially well prepared to understand the antagonisms that have arisen in Yugoslavia, particularly in the industrial sections, in connection with taxation imposed by the National Assembly.

Now there is no doubt about the gravity of the conflict or the seriousness of the opposition directed by the businessmen of Croatia, Slavonia, Slovenia, and Voivodina against the taxes, especially the income tax, collected to support the national government. The reasons for their resistance are obvious: the burden which falls on these richer and more industrialized sections, is heavier than that imposed on the peasant

districts of Serbia, Bosnia, and Montenegro. At a great meeting held in Zagreb early in 1928, the representatives of fifty-five commercial and industrial organizations demanded that the income tax be abolished as of January 1, in Croatia, Voivodina, Slovenia, and Dalmatia, that the tax on business turnover be abrogated, that all taxes falling on industry, business, and labor be reduced, and that a new law relative to taxes and excises on consumption be enacted on the principle of complete uniformity. These demands were accompanied by the declaration: "The result of the present destructive economic policy is that, after scarcely ten years of unity with the brothers beyond the Danube and Drina, it has dried up almost all the sources of economic prosperity which followed from the first great and truly national inspiration. These bitter and sad events have firmly convinced all branches of business in Croatia that the new sections in the national state will be exploited to the uttermost limits of possibility and their inhabitants will be degraded to the level of citizens of the second rank." Having made these demands respecting taxation and delivered this declaration against Belgrade politics, the Zagreb assembly of businessmen also called for the denationalization of all state enterprizes, especially railways, forests, and mines.

One of the favorite arguments advanced by opposition members of Parliament against the system of taxation which has prevailed in Yugoslavia from the formation of the union is the contention that Serbia and Montenegro have not paid their *per capita* share. For example, during the debate on the budget in 1928,

a deputy belonging to the Independent Democratic party calculated the total amount of direct taxes collected during the eight years, 1919-26 inclusive, fixed the per capita average at 645 dinars, stated that Serbia and Montenegro paid only 407 dinars per capita—that is, 238 dinars less than the general average. The speaker then declared that if the Serbia-Montenegro average were applied to the Kingdom during the period, it would be found that the other districts had paid 2,872,960,567 dinars more than their share. Taking the direct taxes for the year January 1-December 31, 1927, with minor exceptions, the same speaker insisted that each person in Serbia paid on the average 59 dinars, in Bosnia and Herzegovina 114 dinars, in Dalmatia 79 dinars, in Croatia-Slavonia 140 dinars, in Slovenia 207 dinars, and in Voivodina 225 dinars. Referring to the income tax, the orator demanded that it should be abolished as bearing too heavily on the portions of the Kingdom formerly belonging to the Dual Monarchy. Then he exclaimed: "The idea is already widely current that national unity may be shipwrecked and merely because one part pays too much and the other too little." [4]

Without conceding the economic validity of this contention, every impartial observer will confess that the system of national taxation in Yugoslavia, at all events previous to the new legislation of 1928, was

[4] Replying to this type of argument, a writer in "Politika," July 25, 1928, shows that, taking the lump sum of taxes paid by the several sections as a basis of comparison, Serbia and Montenegro stand at the top and are carrying increasing burdens. It is not necessary to point out to economists accustomed to relating taxes to wealth the fallacies in the per capita and lump sum arguments.

productive of grave and highly objectionable inequalities. Under the former arrangements, the Kingdom was divided into four sections: (1) Serbia, Macedonia, and Montenegro, (2) Croatia, Slavonia, and Voivodina, (3) Bosnia and Herzegovina, and (4) Dalmatia and Slovenia. In each of these sections, property was assessed on the basis of old laws scattered through the years from 1884 to 1917, founded on different principles, and permitting the widest variation in practice. Naturally, the tax and assessment legislation for the sections formerly belonging to the Austro-Hungarian Empire were the most precise, searching, and scientific in character. It cannot be denied, therefore, that for nearly ten years the fiscal system of Yugoslavia worked injustice even in the collection of the same tax throughout the Kingdom, those theoretically proportioned on ability to pay as well as the other forms. It is one of the well-founded criticisms of the government that it so long delayed the projected legislation designed to produce uniformity, that is, to impose the same tax burden on the same unit of wealth throughout the realm.

This, however, belongs to history. The new law of 1928 contemplates uniformity in the assessment of property for taxation and simplifies the tax structure. But it does not meet the demands of businessmen in the industrialized sections, for it continues the business turnover tax and the income tax based on ability to pay rather than on population. According to the new law, scheduled to go into force on January 1, 1929, the tax revenues of Yugoslavia fall into four main categories:

Customs duties, combining protective and revenue features;

Monopolies, especially salt and tobacco;

Business turnover and military transport taxes;

Income taxes, based on net cadastral income from agricultural land, net rental income of buildings, business and professional earnings, income from invested capital, income of joint stock companies issuing balance sheets, and income from salaries and wages. Besides making exemptions at the bottom, the income tax is progressive in percentage as it moves upward along the income scale.

Although it is evident from the text of the new law that the sponsors of the Act took great pains to make it logical in form and equal in operations, the measure encountered continued criticism from the opposition even after it was duly passed. How much this opposition may be attributed to usual partisan tactics cannot be discovered, but it must be apparent to the Croatian members of Parliament that the abolition of the income tax and an increase in indirect taxes are hardly possible under any scheme of government. If the present unitary state is maintained, then the revenue requirements and the demands of the peasants, to say the least, will make the collection of a heavy income tax imperative. If a federal system is substituted for the existing régime and a local legislature established at Zagreb, it is not likely that the agrarians there will let the capitalistic interest off without an income tax. Indeed, if the experience of America is any indication of what might happen under a federal system, Yugoslav business men might do well to contem-

plate the possibility of paying two income taxes, one local and the other federal. At all events, it is certain that no kind of tax, either just or unjust, can be imposed to the entire satisfaction of those who pay it. It is equally certain that a federal scheme, whatever its merits, tends to produce an increase, not a diminution, in the cost of government.

Though closely connected with debts and taxation and likewise entering deeply into processes that determine the distribution of wealth, the banking and currency question has not assumed a major rôle in Yugoslav politics. In its effort to escape the tidal wave of inflation that engulfed the Central Powers, the government at Belgrade entered into an agreement with the National Bank, giving it a monopoly of issuing notes on a metallic basis which has kept the dinar on about the same level during recent years. But this stability, purchased at great effort and maintained with constant reference to foreign exchange, undoubtedly has produced a serious monetary stringency. At all events, Yugoslav industry and agriculture are handicapped by currency inelasticity, by subjection to the necessities of foreign exchange. Except for a few great banks in the leading cities the banking business is in a somewhat primitive state and the rate of interest charged runs from ten to twenty-five per cent. Bankruptcies are frequent and business is transacted on a precarious basis. Although the spirit of provincialism and the jealousy of the great banks in the various sections hinder the consolidation of the banking business and the adjustment of currency issues to commercial needs, such centralization and pooling of national

resources for the maintenance of a flexible currency are among the economic necessities of the country. When the problem is faced, as it must be faced, the long history of the battle between state's rights and nationalism, agriculture and capitalism in the United States culminating in the Federal Reserve system will prove illuminating for Yugoslavia.[5]

Still more curious to an American observer, as already noted, is the slight attention given by Yugoslav party leaders to the tariff question. Matters of banking and currency, all highly technical in character, may well give pause to the most facile politician, even though he is dimly aware that in them lie important secrets respecting the accumulation of riches and the distribution of the annual output of wealth. But the tariff issue is relatively simple and yet it has aroused no great party furor and has brought about no grand party divisions. Starting at first with the idea of supplying the impoverished domestic market, the government of Yugoslavia adopted a series of revenue measures encouraging imports and discouraging exports, but this policy was gradually abandoned in favor of a program for protecting domestic industries, at the outset by moderate tariff rates giving them a preference and later by higher and higher rates formulated under heavy pressure from the industrialists. Although Yugoslavia is primarily an agricultural country and the majority of the Parliament is com-

[5] For an excellent summary statement see Kenneth S. Patton, *Kingdom of Serbs, Croats, and Slovenes* (U. S. Department of Commerce, 1928), pp. 52-87. Also the *Near East Year Book,* Chapter on "Finance." The Statutes of the National Bank are published in French translation and the annual report is issued also in English.

posed of members from agrarian districts, it appears that the peasants and their leaders take little interest in the tariff question, partly perhaps because customs duties ease the direct taxes on land. This lack of interest continues from year to year in spite of the fact that the price movements are clearly against agriculture.[6]

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As the pressure for the development of business inevitably increases in Yugoslavia, the government confronts innumerable special problems in connection with natural resources, communications, and state industries. Compared with other European countries, particularly Italy and Austria, Yugoslavia is rich in forests, and of the total forest area about five-sevenths is publicly owned—by the state or communities. The state domain alone exceeds forty per cent of the total. Furthermore, the national Constitution (Article 41) declares that "large private forest tracts are expropriated according to law and become the property of the state or its self-governing bodies. . . . Natural forests whose cultivation is necessary for climatic and cultural purposes also pass over, according to the laws of expropriation, to the ownership of the state or its self-governing bodies in so far as forestation cannot be done by other means." If, as maintained by competent authorities, this constitutional declaration is an empty gesture, still the state now possesses in its own right

[6] See Alexander Bilimovitch, *Jugoslavien*, Breslau, 1927, pp. 163, 185ff. Kenneth S. Patton, *Kingdom of Serbs, Croats, and Slovenes*, pp. 84-85.

and must administer more than three million hectares of forest land.

In this sphere have arisen important questions of policy and technology which are fully appreciated by specialists in Yugoslavia, but have not yet received the consideration which they deserve at the hands of the government. Except in Slovenia, with its Austrian traditions, and to some extent in Croatia, no rational system of forest economy has been introduced. No adequate survey of the forest resources has yet been made; nor is there any way of discovering the exact amount of timber annually cut down. While there is reason for believing that the consumption exceeds the renewal, the extent of this excess is a matter for guesswork. No national scheme of control has yet been devised and at the present time exploitation proceeds according to the laws and practices in force in the various sections previous to the formation of the union. It is true that a system of administration and management has been set up in the Ministry of Forests and Mines but, owing to the lack of legislation, this department has not reduced forest exploitation to a rationalized policy. Concessions and leases are still made under local laws. The owners of private forests, especially the large holdings made subject to expropriation by the Constitution, remain in a state of uncertainty, unable to adopt any long-term policy while their tenure remains in jeopardy. Until a positive program is agreed upon and means of communication are provided, it will be impossible to attract enough capital to place forestry on the basis of efficient production.

In all this there is nothing new to Yugoslav experts

in forestry. They well know that wise measures of law are necessary to conserve timber against reckless cutting, to protect the public interest, to stimulate investment of private capital, and to increase the revenues from the industry. Projects of law embodying such policies have been drafted and presented to Parliament, but none of them has yet been placed upon the statute books. Hence with respect to one of its major industries the government of Yugoslavia drifts along from year to year without constructive action.

Yugoslavia is also rich in water power, and Article 117 of the Constitution declares that all natural water powers are the property of the nation. But this important branch of national economy is in a backward state of development. It is, of course, the subject of lively debate. A number of important surveys of available power sites have been carried out and optimistic conclusions made with regard to the potentialities of promotion in this field. The significance of hydro-electric enterprises for power, light, and transportation is fully appreciated by Yugoslav technologists. Indeed some of them, overlooking the present buying power of the masses in their country, have indulged in wild flights of fancy in portraying the future of the industry. However that may be, the government has not yet worked out any uniform system for controlling and promoting the development of water power in the Kingdom. Taken in connection with projects for draining marshes, dredging rivers, and irrigating arid regions, a rational program of hydro-electric development could raise wide areas of Yugoslavia many degrees in the scale of civilized comforts, besides increasing the pro-

duction of wealth, but until the government has worked out a sound economic policy and is prepared to administer it vigorously, advance in this field will be halting and tardy.

With reference to ownership, the mineral lands of Yugoslavia fall into two classes: those that are a part of the public domain and those in private hands. It is true, Article 117 of the Constitution declares that minerals are the property of the state but in practice this declaration is a dead letter. In the case of mineral resources in private hands, exploitation is merely subject to state authorization and concession. As yet no general law governs the whole country, each of the several sections retaining the system in force previous to the unification. In practice, in Serbia, those who seek to develop minerals must first obtain the right to investigate and then the privilege of exploitation on the payment of a small annual fee. Against this procedure prospectors and capitalists have more than once filed objections. They contend that such a policy puts a premium upon politics. The prospector, they allege, obtains the preliminary right to investigation, and after the expenditure of a good deal of money and effort makes a discovery; then he makes an application for his concession, only to learn, after innumerable delays, that the coveted land has already been transferred to some friend at the political court.

There is no doubt that the exploitation of mineral resources constitutes one of the grave problems of modern government. The history of coal in England indicates what may happen when mineral resources are turned over in fee simple to private owners and the

state left with nothing but the responsibility for mediating between owners and strikers. The history of corruption in the United States in connection with the alienation of the public domain indicates the difficulties which may appear in the process of transferring public property to private hands. Again, it must be confessed that the policy of leasing state resources, which has been recently adopted by the government of the United States, has only raised issues of another kind, as the oil scandals fully demonstrate.

Yet, possessing a great heritage in minerals, and having adopted a policy of state control over minerals on private lands, the government of Yugoslavia cannot escape the hazards of this great industry. Up to the present, it has made no scientific survey of the mineral resources; neither has it adopted any general legislation, except for oils and gases (which exist in limited quantity, if at all); and every year's delay increases rather than diminishes the difficulties. In retarding the exploitation of minerals by its inaction, it holds back the annual production of wealth to that extent.

In close relation to the development of natural resources, as well as industry in general, of course, there arise several special problems relative to railways and state industries. The railway system, now owned and operated by the government, can hardly be called a system; certainly it is not constructed with reference to the economic unity of Yugoslavia. It is rather an aggregation of lines originally built with respect to the conflicting interests of Serbia and the various sections

under Hapsburg dominion. Austria and Hungary looked to the Adriatic and preferred to isolate Serbia rather than to unite her with the economy of the West; but even the connections with the Adriatic were not sufficient to open up the interior. When the new Kingdom was established, there were only two lines uniting the Dalmatian coast with the hinterland: one, a standard gauge from Zagreb to Sushak, and the other, a narrow gauge by way of Brod and Mostar to Zelenika—to which a third was added in 1925, finishing the link between Zagreb and Split. Besides the lack of unity in the railway system there was a dearth of lines opening up interior resources and welding the whole Kingdom into an economic whole.

These difficulties, added to the ordinary problems of state operation, have raised perplexing questions for the government, leading to sectional conflicts and long delays in new construction. Protests are continually made in Parliament and outside against railway rates (which are high), against projects for new lines no matter where, against alleged discriminations in favor of this or that city or region, and against "politics" in railway operation. Among commercial interests there is a demand for a "denationalization" of the railways and their transfer to private hands, usually on the theory that the above questions would be automatically settled by this mere action. But whatever may be the merits of such controversies, it is evident from experience in other countries that private ownership does not automatically dispose of high rates, politics, contests over new construction, or discrimination

against cities and sections. All remain in another form and are hardly less taxing upon the political ingenuity of the people.[7]

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Although, as already indicated, Yugoslavia is overwhelmingly agricultural in interest, it has enough factories and mines, particularly in the northern sections formerly belonging to Austria-Hungary, to raise for the government all the economic problems usually grouped under the head of labor and social legislation. Indeed, the presence of communists, socialists, radical agrarians, social democrats, and other reformers in the convention of 1921, led to the introduction of a remarkable series of articles on "Social and Economic Regulations" into the Constitution of the Kingdom. Besides provisions for land adjustments treated above, this section contains several stipulations pertaining to industrial workers and contemplates an elaborate system of social legislation.

In conformity with the terms of this section, Parliament has enacted a long list of social laws providing for sickness and accident insurance, affording protection to workers in mines and factories, establishing an eight-hour day in certain industries, and authorizing the formation of trade unions, subject to strict limita-

[7] For an interesting chapter on the Adriatic railway, see Hamilton Fish Armstrong, *The New Balkans*, pp. 61ff. With respect to factories, mines, and estates owned and operated by the government of Yugoslavia there is a considerable literature available in the form of parliamentary papers. The subject deserves a careful scrutiny by competent economic authorities. The financial reports seem to indicate waste and incompetence. At least commercial interests, which demand denationalization, lay great stress on this point.

tions relative to strikes and subversive activities.[8] Furthermore there has been created in the national government a Ministry of Social Politics, charged with the general supervision of social legislation and the protection of the weaker members of the economic community. Supplementing this legislation are advanced laws and ordinances relative to public health, which are enforced under the direction of a special authority, the Minister of Public Health.

It is not too much to say that, in principle, all the essential features of advanced European social legislation are incorporated in the Constitution and laws of Yugoslavia. With reference to social medicine and public health, the policy of the government certainly reflects the finest ideals that have been evolved in that field in the Western World.[9] In all parts of the Kingdom, the inquiring traveller encounters administrative officials thoroughly conversant with the best theories and practices in their respective departments of social work. Indeed the chief criticism to be made in this connection, if it be a criticism, is that the laws and the technical executives are too far ahead of the economic development and public opinion of the country and are attempting to realize projects beyond the available financial resources. On the other side, it should be added that the agitation conducted by communists,

[8] *The Near East Year Book* (1927), chapter on "Labour," gives an excellent brief summary for English readers. Additional details in Bilimovitch, *Jugoslavien,* pp. 150ff.

[9] The public health ideals and activities of the government are described in an official publication, with French and English translations, *Five Years of Social-Medicine in the Kingdom of the Serbs, Croats, and Slovenes, 1920-25.* See especially the Preface by Dr. Shtampar.

socialists, and trade union leaders for additional measures relative to labor and social affairs, by no means overlooking the limitation of police interference in strikes, gives support to present policies, keeps alive the issue of labor in politics, and prevents any material retrenchment in expenditures for social purposes.

CHAPTER XI

PUBLIC OPINION

Democratic government, such as the Yugoslavs have proclaimed in their Constitution and are attempting to develop, requires for its smooth and efficient operation certain fundamental conditions of public life. These conditions include a wide liberty for the press, a generous freedom of speech, association, and meeting, an electorate not only literate but also well enough educated to take part in political discussions, a keen intellectual interest outside the sphere of partisanship, and the continuous development of economic and political literature in books and periodicals. The active participation of women in public affairs is also a significant phase of democratic evolution; in nearly all the countries of the Western world, which have democracies rather than dictatorships, women vote, hold office, and share in the making of public opinion.

By explicit letter, the Constitution of Yugoslavia contemplates the existence of these prerequisites for democratic government: "Freedom of the press is guaranteed. No measure can be instituted that will prevent the printing, selling, and distribution of literature and newspapers. Censorship can be enforced only in time of war or mobilization and then only in cases provided by law. . . . Citizens have the right of

assembly, meetings, and conferences. . . . Citizens have the right of petition. . . . University education is free. . . . Elementary education is national, general, and compulsory. . . . The law will decide the question of woman suffrage." Such is the language of the Constitution.

These fair words, however, are limited by law and practices. The Constitution itself forbids the publication of anything containing a libel on the royal family, foreign rulers, or the National Assembly, calling upon the citizens to change the Constitution or national laws by force, or seriously offending public morals. Article 138 permits the suppression of publications which stir up hatred toward the government as a whole or religious or class hatred, thus by generalities permitting a destruction of the guarantees expressly provided. Open-air meetings cannot be held without previous notice to proper authorities. The right of assembly is limited to objects not forbidden by law.

Far more important are the practices under the Constitution. Such liberties, as Alexander Hamilton said of freedom of the press, "whatever fine declarations may be inserted in the constitution . . . must altogether depend on public opinion, and on the general spirit of the people and of the government." They are described with great flourish in American constitutions, state and federal, but as far as the rights of person and opinion go they amount to little in time of peace and to less or nothing in time of war. Legislatures, police officials, judges, and juries, by flagrant violations or ingenious interpretations can and do nullify constitutional provisions respecting press, speech, and

assembly.[1] Likewise in Yugoslavia, glittering phrases must be read in the light of practice.

The Constitution of Yugoslavia expressly states that "censorship can be enforced only in time of war or mobilization." In contradiction to this declaration, the press law provides that every publisher "must before selling newspapers or magazines to the public submit five copies of such newspapers or magazines to the district attorney or the local police authority for inspection." In addition, the press law, applying Article 138 of the Constitution, authorizes the suppression of papers which publish anything to stir up hatred against the state or any section of it or to call forth religious or class hatreds. Theoretically the district attorney or police authority, when acting as a censor, must obtain judicial authorization for suppression; but this rule does not seem to be followed in all cases. In practice, newspapers, books, and periodicals are frequently suppressed and editors are thrown into jail on police orders to await judicial disposition of their cases.

Likewise, freedom of speech and meeting is closely restricted by law and subjected to strict police supervision. Measures against communists and those who advocate violence are especially severe. But in all such cases, it appears that judicial processes, when finally reached, are openly conducted and extensively reported in the newspapers. Able counsel can apparently be secured for the defense of the accused. At all events, at the great trial of communists held in the early winter of 1928, the defendants had distinguished law-

[1] Yugoslavs who want to know how it is done in the United States should consult Chafee, *Freedom of Speech.*

yers to represent them and the proceedings, including the testimony and exhibits, were amply covered in the press reports.

Yet, in spite of the strict censorship that prevails, the newspapers of Yugoslavia, except perhaps the communist journals, actually enjoy a liberty that passes far beyond the border of license. If editors are frequently sent to jail, it may be said that such events bear a small proportion to the number of papers and the size of their editions. However severe the police may be at times, they certainly give the bourgeois editors a wide liberty to assail the government or the opposition parties. Nowhere in Europe, perhaps, does personal abuse run to a higher pitch; nowhere do editors dare to make with impunity such reckless, sweeping, and slanderous statements about men in public life.

A single example will illustrate the lengths to which the press may go. Shortly before the terrible shooting affray in the Parliament in June, 1928, a Belgrade paper, recently founded to support the government, openly declared that "Raditch and Pribichevitch should be murdered for Yugoslavia's good." After two members of the Assembly from Croatia were actually shot, the same editor, not silenced by the tragedy, coolly advocated more of the same kind of medicine for the body politic—and was himself murdered in Zagreb a few weeks later.[8] While this is an extreme case, it throws light on the operation of the censorship. A communist advocating a revolution that is not likely to happen is quickly imprisoned; a government editor

[8] New York *Times*, Monday, August 6, 1928.

advocating murder goes scot free until an outraged citizen takes the law into his own hands. All that could be said in extenuation of the editor was that members of the opposing parties had been equally scurrilous in their abuse of the government and its supporters.

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According to figures collected by Kenneth S. Patton, the American consul at Belgrade,[3] there are approximately 220 newspapers in Yugoslavia, nearly all of them party organs read primarily by party members. Every faction, from left-wing Communists to Independent Democrats, is represented; the important minorities, German, Hungarian, Czechoslovak, Turkish, and Russian have papers of their own.

Most of these newspapers are like the petty sheets that flutter thick as autumn leaves through the streets of European capitals. At the head of the list stand the few leading dailies of Zagreb, Belgrade, and Ljubljana, which are conducted with dignity and restraint, comparing favorably with the best Parisian and Vienna models. From the standpoint of circulation, "Politika," of Belgrade, comes first, with its daily editions ranging from 45,000 to 100,000. Ably edited, independent in politics, avoiding sensationalism, lively with witty cartoons, and sober with serious articles on economic and literary themes, it may fairly be said to rank with the best in Europe. A few other Belgrade

[3] Mr. Patton's excellent work, *Kingdom of Serbs, Croats, and Slovenes,* has been published by the Department of Commerce, Washington, 1928.

dailies, such as "Vreme" and "Pravda," belong to the same class. In Zagreb, "Obzor," founded in 1860, takes the Vienna press as its model; "Jutarnji List," though independent, leans to the Raditch party; "Novosti," likewise independent, gives strong support to the national unity. Naturally in Slovenia, "Slovenac," the organ of the clerical party, enjoys a large circulation, but "Jutro," speaking for the Independent Democrats exceeds it by more than ten thousand a day; as befits an industrial city, like Ljubljana, the socialist paper, "Delavec," issues editions rising to ten thousand.

Besides the political newspapers, Yugoslavia has a large array of miscellaneous publications. According to Mr. Patton this group includes about three hundred periodicals. There are three dailies devoted mainly to commercial and economic subjects. Industrial, trade, social, and other organizations issue periodicals, with more or less regularity. Economic, banking, financial, commercial, and sporting organs number approximately eighty. To these should be added twenty-six illustrated and comic papers appearing weekly or occasionally. In short, there are no themes of world life, no news stories of importance, no topics of political debate that are not covered by publications of competence, based on Continental models. If the people of Yugoslavia are not informed with respect to national and international questions, it is no fault of editors and publishers. Although there is a dearth of standard books on technical questions of economy, government, and administration, there certainly is no lack of current articles pertaining to such affairs.

Unfortunately, however, for the country, most of the

daily newspapers are provincial in character, reflecting local interests. It is true that "Politika" circulates extensively in all parts of the Kingdom, even where Latin characters are used, and sends 3,000 copies a day to Zagreb, but this exception proves the rule. Like the United States, Yugoslavia has no paper fairly comparable to the London "Times," the Paris "Temps," or the Frankfort "Zeitung," in the width and depth of its national appeal. Since the parties tend to localism and the papers are party organs, provincialism is inevitable. The use of the Cyrillic alphabet in the southeast and the Roman alphabet in the northwest strengthens tendencies already inherent in the nature of things. No doubt the teaching of both alphabets in the schools will tend to break down the linguistic diversity, but that will not speedily overcome ancient habits. Even the periodicals and magazines—a journal as ably edited as "Nova Evropa" in Zagreb—have limited circulations and are handicapped by the tenacity of sectional patriotism.

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Granted the general excellence of the newspapers and periodicals, what can be said of the level of popular intelligence, as measured by educational statistics? Figures on the state of literacy existing on the day of the union vary. Dr. Ivshitch gives the following comparative view: the number of illiterate persons in Serbia was seventy-five per cent of the population, in Croatia and Slavonia forty-five per cent, in Voivodina thirty-five, in Bosnia-Herzegovina eighty-five, in Dalmatia eighty, in Montenegro seventy-five, and in

Slovenia ten, making an average of approximately seventy per cent.[4] Taking the census of 1921 as his basis, the American consul, Mr. Patton, estimates that slightly over forty-eight per cent of the population of school age and over could read and write, ranging from eighty-six per cent in Slovenia to sixteen per cent in South Serbia, the last stronghold of Turkish culture. Reviewing the educational development since that year, Mr. Patton adds that "the percentage is now considerably higher." It would be safe to say, therefore, that not more than one-half the adult population in Yugoslavia is prepared to enter into the public life of the country, as far as literacy is concerned.

It must be conceded, however, that heroic effort is being made to overcome the heritage of illiteracy handed down from the old régime. Government, community, religious, and private schools are at work on the task. According to the latest returns for the year 1926-27, there were 794,475 pupils in the lower schools —kindergarten, elementary, and extension—and more than 80,000 in the secondary schools. National appropriations for schools, both direct expenditures and state aid, have been increasing. In the higher ranges, naturally, progress is not so rapid. Relatively few secondary and middle schools have been added to those existing in 1918, which were mainly old foundations, religious and communal. Nor have the appropriations for higher and university education kept pace with expenditures for the attack on illiteracy: they formed 0.663 per cent of the national budget in 1920-21 and only 0.744 per cent in 1927-28. There are now

[4] *Les Problèmes Agraires en Yugoslavie*, p. 23.

fully equipped universities at Belgrade, Zagreb, and Ljubljana, supplemented by a law faculty at Subotica and a philosophical faculty at Skoplje. The total number of students registered in all faculties for the year 1927-28 was 12,671, with law far in the lead, philosophy next, and technology third.

If any criticism were ventured in this relation, it might well bear upon the emphasis given to law, both in the universities and as regards the requirements for admission to the public service. Technical public administration, business, finance, and social economy do not receive the attention which their significance for national development demands. There is also a dearth of technical schools of the lower grade, opening directly into the working operations of farm, factory, railway, and workshop. There are too many roads leading to the restless domain of white-collar occupations; the talking professions are overcrowded; the organizing, managerial, and productive trades receive too little consideration at the hands of educational authorities.

It is true that three grades of technical schools, in addition to the university departments, are conducted under the direction of the Ministry of Commerce. In the first class are handicraft schools for boys who have completed four years in the public schools; the subjects taught are arithmetic, drawing, elementary physics and chemistry, business methods, and kindred matters. The second class embraces industrial schools giving more advanced work, especially in architecture, electro-technology, mechanics, iron working, carpentry, textile manufacturing, tannery, and industrial arts.

This system is crowned by five higher technical schools at Belgrade, Zagreb, Ljubljana, Sarajevo, and Split, which give instruction in all branches of practical industry, such as architecture, machinery, electricity, shipbuilding, industrial chemistry, forestry, and mines. Altogether these schools have about fifty thousand students, of whom more than four-fifths are in the lowest grade of apprentice schools. They are inadequately equipped with workshops and laboratories, the overhead direction in the Ministry of Commerce is undermanned, there is a lack of coördination in program throughout the Kingdom, and the connection of the schools with productive industries needs strengthening. Without depreciating in any way work already done amid great difficulties, it seems fair to say that the great deficiency in the educational system lies in the weakness of the schools dedicated to the practical arts, of the earth earthy.

Whatever the conclusions on this point, Yugoslavia is making rapid strides in the spread of literacy, that prime condition for the efficient functioning of parliamentary government. At the present rate of progress, the battle against illiteracy will be practically won before the lapse of twenty-five years. The country already has a wide reading public and is well supplied with newspapers and periodicals.

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Outside the agitations of political parties, there is nevertheless little discussion of public affairs. Organized labor, speaking through trade unions, and organized capital, speaking through chambers of commerce,

do indeed make pronouncements from time to time relative to great issues of state, but these can hardly be characterized as more independent and disinterested than the declarations of political parties. When, for example, Mr. Stephen Raditch proposed, in the winter of 1928, a military government as a way out of the political deadlock, the official spokesman of the Yugoslav National Chamber of Commerce, publicly stated that he was prepared to endorse the project if he could be assured that the new premier would take politics out of business and provide the legal conditions favorable to an easy and rapid industrial advance. Representatives of labor, on the other hand, saw no promise at all in the proposed departure from parliamentary procedure.

Independent thinkers who ignore the requirements of the parties receive little encouragement. Party leaders are very quick to discover signs of dissent and to suppress them. Appointments, pensions, commissions, and other political favors, as in democracies and monarchies everywhere, go to the orthodox and subservient. Party discipline in Yugoslavia is severe; many an able statesman has been pitilessly ruined and retired to obscurity as a punishment for uttering heretical opinions on party affairs. Only in case a dissenter can secure an election to Parliament as an independent candidate—something that rarely happens—does he have any chance to recover prestige; and even then he is likely to be relegated far to the rear in public life. His declarations do not make "news," and as he has no patronage to distribute he is not cheered in the streets and cafés by lusty zealots.

However, it should be said that two powerful organizations stand aloof from the political parties as such and carry on education and other activities which, they believe, contribute to national welfare. The first of these is the National Defense Society *(Narodna Odbrana)*, founded in 1908 when Bosnia and Herzegovina were annexed by Austria-Hungary. Within a few weeks, it had numerous local committees scattered among the South Slavs, protesting against this new penetration of the Balkans and "the menace to Serbia as an independent state." As the Secretary of the Society puts it: "The youth of the whole Yugoslav people was filled with enthusiasm for the Society and its work, the Yugoslavs beyond the frontiers of Serbia being equally anxious not to be left behind in sacrifice and love for their country. There came about what practically amounted to rivalry as to who should undergo the greatest and heaviest sacrifices on the altar of national liberation and unification. Is it, therefore, surprising that the youth of Bosnia should have answered the provocations and insults of Austro-Hungarian authorities in such an undesirable way?"

Since the attainment of national unity, the Society has announced among its purposes: the strengthening of national consciousness in the spirit of obedience to the state and national unity; coöperation with individuals and societies in promoting morality, education, health, and general culture, in awakening national solidarity by smoothing out class and religious difficulties, in assisting individuals and societies interested in national defense (such as athletic associations, the Adriatic Defense Society, and the Aero-Club), in

counteracting the propaganda of the foreign press by furnishing "true information," and the maintenance of cultural relations with compatriots outside the boundaries of the Kingdom, as well as friendly relations with neighboring countries.

In the early days of unity, the Society labored zealously to offset the revolutionary tendencies of communists and peasants, who began to plunder estates on their return from the Austro-Hungarian army. Its official policy, however, was to soften rather than accentuate internal bitterness. Indeed, its moderation had something to do with the formation of a second patriotic society, the Organization of Yugoslav Nationalists *(Orjuna)*, more belligerent in tone and action. Members of the latter group declared that in the fight against communism offensive as well as defensive measures should be taken, and has been more vigorous in the expression of nationalism, especially in relation to Italy, Austria, and the minorities in Yugoslavia. Both societies, however, carry on a lively propaganda for the realization of their purposes and constitute powerful agencies in the creation of public opinion with respect to foreign and domestic policies. To what extent they contribute to the intelligent solution of pressing social questions and international problems no outside observer can determine.[5]

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It is significant for the course of public affairs in

[5] American readers familiar with the work of national defense societies, navy leagues, and kindred patriotic organizations will readily understand the relation of these Yugoslav associations to politics.

Yugoslavia that signs of a vigorous feminist movement are to be found in nearly every section. Women are admitted to the universities. In Belgrade, in 1927-28, they numbered 1,232 out of a total of 6,289 students; 776 were under the faculty of philosophy, 270 were in law, 64 in the technical school, 3 in agriculture, 119 in medicine, and 1 in theology. Women are to be found in large numbers in the government service as teachers, employees in the department of posts and telegraphs, nurses, and clerical workers. They are eligible to positions on the faculty of the University of Belgrade; a leader among the Serbian women holds a chair of philosophy. While the degree of literacy among women is not so high on the average as that of among men, it is rising and thus women are winning the key to the gateway of modern knowledge.

Cumulative economic forces contribute steadily to the development of individuality among women. The factory system spreads, slowly but surely, and as in other industrialized countries, women are flowing into that branch of national economy. In the rural districts, the old family system *(zadruga)* dissolves under the influences of the modern spirit. It is tenacious, no doubt, and strenuous efforts are made to retain it, with the many virtues inherent in it, but the drift of national and world industry is against it. The laws which protect it also authorize its dissolution. Even in Bosnia and Herzegovina, where it is deep-rooted in custom, it is weakening; in those provinces also Moslem women were instructed in 1928 to remove their veils. Moving pictures and radios are bringing Mohammedan women out of their latticed seclusion.

Machinery, science, education, and the press work remorselessly against tradition.

Already the feminist movement has made an impression on politics. The Constitution authorizes Parliament to grant woman suffrage without resorting to the formalities of amendment. The Slovenian Populist party and the Croatian Peasant party have officially endorsed the proposal, and leaders in the other parties have given it at least lip service. A National Women's Party is carrying on continuous agitation. According to its official program, it advocates the right to vote and hold office, equality in the professions, government service, and business employments, protection of working women in industries, equal rights for married women in family life and property, a war on prostitution, equal inheritance laws, reforms in the marital status, and equal privileges in education. "We believe," runs the declaration, "that it is of the utmost importance for the cultural, economic, and moral development of our country that women should fully share in the organization and life of the state. For that reason, women must qualify for political affairs."

Striking evidences of their qualification were displayed during the tragic days of 1928 when gentlemen in the Parliament progressed from disorder to murder in their political passions. Soon after the affray, several women's organizations held a joint meeting at the Woman's Club in Belgrade, denounced the outrage in the National Assembly, called upon the men to reform their manners, and appealed to the women of Yugoslavia to organize for the salvation of their country. Moreover, the widows of the murdered men, by

their resolute calm and dignified bearing, contributed powerfully to the pacification of angry feelings. The logic of events, no less than the drive of economic evolution, works with the Women's Party in its struggle for political rights and social equality.

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All that has just been said, however, it is fair to admit, is predicated on the assumption that science, machinery, and business enterprise, with their inevitable accompaniments, will continue to develop in Yugoslavia the conditions favorable to the functioning of democratic institutions. On the other hand, there are many Yugoslav writers and thinkers who take the opposite view. For example, Dr. Milan Ivshitch, who teaches social economy at the University of Zagreb, speaks with decided scorn about "the decadence of bourgeois democracy and western parliamentarism." In his opinion, the entire system of bourgeois and individualistic institutions, as well as Marxian communism, will remain foreign to the people of Yugoslavia; the principles of "liberal" economy appropriate to industrial nations can have no success in his country; western juridical institutions and educational ideals are not appropriate to a peasant democracy; and it is, therefore, necessary to organize an educational and legislative program "in harmony with the needs and instincts of the peasant class, the most numerous in the country, on which rests the physical and economic future of the Yugoslav nation."[6] In other words, if Dr. Ivshitch is correct, there is some-

[6] *Les Problèmes Agraires en Yougoslavie*, p. 26.

thing in the Yugoslav race and its rural economy which makes it immune to science, machinery, and business enterprise, the transforming forces of Western civilization. Only the future, of course, can render a verdict in this case.

CHAPTER XII

THE COURTS AND THE LAW

LIKE the Constitution of the United States and perhaps for similar reasons of expediency, the fundamental law of Yugoslavia does not go into great detail in the section dealing with the judiciary. Although the language is general, the Vidovdan Constitution evidently contemplates a complete system of national courts with appellate and original jurisdiction. It states that there shall be one Supreme Court for the country with sessions at Zagreb. Its jurisdiction, both original and appellate, is presumably to be defined by law. Apparently it is to have a wide jurisdiction, for in the sentence which mentions its existence, occurs the statement that "the Supreme Court also has authority to decide conflicts of competency between administrative, civil, or military authorities and judicial authorities. In the same manner it is competent to decide conflicts of jurisdiction between administrative and regular courts."

What seems to be at first glance vagueness in the Constitution, however, is cleared up in part by the understanding among the Serbs to the effect that the Supreme Court or Court of Cassation has a clear and specific function. It is a court of law not of fact; its business is to interpret the laws. It does not deal with

administrative controversies as such, but with the conflicts between regular courts of law and administrative courts. Its prime duty is to assure the independence of the former against invasion by administrative authorities. It is safe to say that Article 109 of the Constitution had as one fundamental purpose to prevent the creation of courts *ad hoc* by royal decree, especially in case of disorder or an *attentat*.

Less definite is the character of the lower courts contemplated by the Constitution. Evidently they are to exist, if Parliament pleases, for Article 111 provides that "the appointment of Supreme and Appellate Court judges and presidents of the lower courts shall be made by the King's decree, on motion of the Minister of Justice, from the number of candidates selected by the nominating body whose composition will be presently defined by law." By inference Parliament is to create a system of graded tribunals. Indeed Article 109 implies this by indirection, in saying that "courts and court jurisdictions can be established by law."

In the matter of administrative tribunals, the Constitution is more concrete. Article 102 is explicit: "For conflicts of an administrative nature administrative courts are established. The law will provide their location, jurisdiction, and organization." That is clear beyond debate. At the head of this system is the State Council empowered to act as "the Supreme Administrative Court." This high tribunal is chosen in the following manner: one-half are selected by the King from a list containing twice the number of names presented by the Parliament and one-half by Parliament from a similar list submitted by the King. To

assure technical competence, the Constitution lays down certain qualifications. At least two-thirds of the members must hold diplomas showing the completion of a law school course, and all of them must be chosen from among higher officials or men who have received a university education and spent at least ten years in government service or public work. As established by law the State Council consists of thirty members.

Although the Constitution leaves to Parliament the provision of detailed regulations dealing with the organization, jurisdiction, and procedure of the Council, it enumerates expressly the fundamental duties of that tribunal. The Council decides conflicts of an administrative nature, having original jurisdiction over cases arising out of decrees and ministerial decisions. As an appellate body it passes upon complaints presented to it against decisions of lower administrative courts relative to the action of administrative authorities. It also serves as an administrative organ and passes upon acts of an administrative nature to which its consent is necessary under laws made by Parliament from time to time. It supervises the home-rule or local government agencies in the performance of duties imposed on them by law. Conflicts of jurisdiction between the central government and home-rule agencies as well as conflicts between different branches or divisions of the government fall within its competence. Besides these functions, the Council discharges other duties under acts of Parliament, such as drawing up administrative regulations, on request of the government, rendering opinions on legislative proposals to the government and to Parliament, serving as a disciplinary court in

cases involving civil servants, and reviewing certain election controversies.[1]

Supplementing the general provisions respecting the courts, the Constitution provides certain safeguards. The courts are declared to be independent. The judges are to enjoy permanent tenure and when accused of breach of trust enjoy the right to be tried by their peers on the bench (Art. 112). They cannot be transferred or assigned to other duties without their own consent, and under specific conditions are to enjoy the benefit of pension.

Such are the great principles laid down in the Constitution. But as yet many of them remain unrealized. The State Council and certain local administrative courts have been established but, pending the unification of the civil and criminal law, local and appellate courts of general jurisdiction have not been instituted under national authority. For the present there are six courts of cassation—at Belgrade for Serbia, at Podgoritza for Montenegro, the Table of Seven at Zagreb for Croatia, the Supreme Court at Sarajevo for Bosnia and Herzegovina, a tribunal at Novi Sad instituted by decree in 1920 for Voivodina, and a Supreme Court at Zagreb for Slovenia and Dalmatia, instituted by decree in 1919. In fact, therefore, except for administrative purposes, there has been no judicial consolidation, each of the historic sections preserving with its law its own tribunals of first instance and appeals.

With regard to the enforcement of judicial decisions, unification has been barely attained. For many years,

[1] *See* Law concerning the State Council and Administrative Courts, May 17, 1922, Article 48.

the courts of one section refused to accept the validity of judicial decisions in other sections. The proceedings of the Serbian courts were not recognized by the courts in the parts of the former Austro-Hungarian Empire and vice versa, much to the distress of merchants and others trying to do business on a national scale. It was only by special efforts on the part of powerful economic groups that sectional courts of appeal finally intervened and declared that the decisions of all courts of the land must be treated as domestic decisions, on the theory that "all courts are part of the same state." Thus was created by special action an endurable condition of affairs but one which still presents many difficulties to business enterprise—difficulties similar to those which arose in the United States before the formation of the Constitution.

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The same generality which marks the articles of the Constitution dealing with the courts also characterizes the provisions pertaining to the unification of laws. Nowhere does the Constitution flatly state that the civil and criminal laws of the land are to be unified and consolidated in national codes but, by implication, to be read in the light of the history of the formation of the new Kingdom, such unification is undoubtedly contemplated. Indeed, the Constitution by specific provisions, especially in Section III, touches the subject of private law. Property, for example, is guaranteed, but the nature and limits of property are to be regulated by law. Entailment is forbidden, and the expropriation of great estates authorized.

It is, however, by providing for an expeditious method of law consolidation that the Constitution expresses the will of the law makers on this point. Article 133 states that "for the equalization and administration of the laws of the land a shorter method is the following: All legal motions which have as their basis the coördination of laws and administration will be introduced either by the government or by individual representatives to the legislative committee through its chairman."

The legislative committee to which reference is here made is a special committee of Parliament organized to deal with new legislation relative to administrative reform and law codification. From this committee, a report on each piece of legislation of this character is to go to Parliament *en bloc,* is to be debated as a whole under severe time limits, and must be adopted or rejected as a whole. The Article in question stipulates that these extraordinary methods may be employed for five years from the date on which the Constitution goes into effect, but adds that the time may be extended by law.[3]

Such provisions, taken in connection with other circumstances mentioned below, settle all doubts, if any exist, as to the intention of the founders of the Kingdom to bring about a complete unification of the civil and criminal laws.

Indeed, before the constitutional convention was elected, the provisional government took important steps looking in that direction. It created a special ministry for the unification of the laws. But this

[3] Extension was later made.

ministry restricted its activities to work on the project of a constitution and on drafts of administrative laws in connection with the launching of the Constitution. On the completion of these plans the ministry practically ceased to function, although it was continued from year to year until 1928. At last, by the Financial Law of 1928-29, it was abolished as of April 1, 1928.

As a matter of fact, the long life of the ministry was due to political rather than technical considerations, for in 1919, the task of unifying the civil and criminal laws was committed to the Ministry of Justice. Within that department was created a council on legislation composed of permanent, honorary, and extraordinary members, and divided into three sections—civil law, criminal law, and public law. For working purposes, a small executive committee of three members, one from each section, was established within the council. Upon the council was imposed the task of elaborating projects of law proposed by the various ministries and the preparation of projects on its own motion.

Within two years, the section on criminal law reported projects for a penal code based on the Serbian code of 1911 and a code of criminal procedure based on that in effect in Croatia. On their completion, these provisional drafts were published and laid before various competent authorities for criticism. By 1926, the code of criminal procedure was finished and ready for adoption, but the work on the penal code itself was still in progress. At the opening of the year 1928 neither had been enacted.

In the meantime, the section of the council in charge of private law, carried on studies preparatory to the

elaboration of a civil code, a code of civil procedure, maritime law, and projects relative to the organization of the courts. At the opening of 1928, the section was still engaged in its task, and the date of completion was still uncertain. However, the five years allowed by the Constitution for the operation of the Article relative to expeditious legislation was extended three years by law in 1926, and the way cleared for a continuance of the consolidation process.[3]

With respect to private law, therefore, the Kingdom is still, in fact, a federation in which the laws of the several sections—Serbia, Croatia and Slavonia, Slovenia, Dalmatia, Montenegro, Bosnia and Herzegovina, and Voivodina—remain in effect within their respective jurisdictions. This does not mean, however, that Parliament has been wholly inactive in this sphere. There has been legislation on land reform to which reference is made in another connection. In 1923, the government was authorized to extend to the entire realm the Serbian law of 1865 relative to the distraint of peasant property, but the authorization was not exercised. In 1922, Parliament passed an act for the protection of industrial property.[4] Perhaps, in the end, the process of unification will proceed piecemeal rather than by the adoption of exhaustive codes. Meanwhile each section continues its old laws and courts of general jurisdiction.

In the field of criminal law, a similar delay has occurred. There has been, it is true, legislation rela-

[3] See the excellent summary by Professor Zivanovitch in *L'Illustration, Supplement,* June 26, 1926.

[4] Analyzed in the Near East Year Book for 1927 and in the *Zeitschrift für Ostrecht* for August-September, 1927.

tive to military crimes and penal procedure, crimes against the security of the state, the protection of the public order, and ministerial responsibility. A project for a general criminal code was laid before the Parliament early in 1926 and was made the subject of a lively debate. Amendments were suggested and the document returned to the Minister of Justice for revision.[8] In November, 1927, it again went to Parliament with the alterations incorporated in the text, but no further action was taken; so that criminal legislation still hung in the balance at the opening of the next year.

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Our conclusions under this head are, therefore, mainly negative. The Supreme Court mentioned by the Constitution has not yet been established; neither have the other ordinary courts of law contemplated by that instrument. Apart from the administrative tribunals made necessary by the work of administrative consolidation, there are no national courts in Yugoslavia. In both civil and criminal matters, resort must be had to the courts existing in the sections of the Kingdom under the laws which governed them previous to their fusion into the new country. Furthermore, there are no national civil and criminal codes. Except for a few matters on which Parliament has acted, the laws in force in Serbia, Montenegro, and the provinces formerly belonging to the Austro-Hungarian Empire, previous to the union, are still applied.

Among these several sections, the laws, both material

[8] See article by Dr. Method Dolenc, on the project, in the *Zeitschrift für Ostrecht*, July, 1927.

and formal, substantive and adjective, the organization of the courts and their methods for the execution of judgments, and the status of the judges reveal extensive differences. As a writer in the Belgrade *Zeitung* for January 6, 1928, laments, with reference to fundamental legislation, each of these sections is a sovereign state having its own jurisprudence and courts. More than that. It occasionally happens that there are two sets of courts and laws in the same *oblast,* or administrative district. As if to reinforce the tenacity of local law, the law schools of the several sections, naturally concerned with practice rather than with theories and hopes, teach the law of their respective jurisdictions.

Against this "marvelous chaos," as one critical writer calls it, there are lively protests, especially from business circles. Parliament is severely taken to task for its failure to act, and members of that body, when questioned, reply that the authorities charged with law consolidation are to blame. To the merchant who tries to do business in different parts of the realm, it seems an easy matter to provide uniform legal facilities and to the theorist, fresh from the study of Roman law and the codes of Western Europe, it appears to be a simple task to formulate principles, details, and practices applicable to the whole realm.

But no one who looks closely into the widely divergent social and economic conditions prevailing in the various sections of Yugoslavia and studies the history of efforts in the United States to secure uniformity in legislation will be surprised that the task, which appeared easy to the constitution makers of 1920, has as yet proved insuperable. With reference to diversities,

a few facts will illustrate the difficulties. In religion, the Kingdom is divided into three groups: Orthodox, Moslem, and Catholic, to say nothing of a small number of Protestants. To the second of these groups, the Mohammedans, is assured by the Constitution (Article 109) the right to have justice affecting family and inheritance matters administered in religious courts of their own.

In economic conditions, as already indicated, there are differences equally puzzling to the uniformist. Three-fourths of the people are engaged in agriculture, no doubt, but under widely varying rules with respect to ownership, transfer, and inheritance. In some parts, the individualistic methods recognized by Western law are accepted; in others, provision is made for the protection of the family communism in property, inherited with the *zadruga* system. Of course, it is easy for anyone fascinated by the Code Napoléon or American law to say briefly that the individualistic system of the West should be introduced instantly; but there are many economists in Yugoslavia who refuse to take that view and who look upon the *zadruga* as a vital institution to be developed in the interest of family morality, individual security against poverty and social order. To add more is unnecessary. The unification of the laws in Yugoslavia will be difficult, if desirable.

American experience throws perhaps some light on the problem. It is a matter of surprise to most lawyers in Belgrade and Zagreb, to discover that their brother lawyers in America are in a similar plight with regard to the laws, courts, and the right to practice throughout the land. When one attorney in Belgrade was told

that a lawyer duly admitted to the bar in the state of New York could not practice in all the courts of the forty-eight states, indeed, could not cross the Hudson River and practice in New Jersey, he exclaimed: "What! In civilized America!" When informed also that a lawyer of one state could not be admitted to the bar of any other state without complying with its conditions, the Belgrade attorney's amazement was still greater.

If it seems strange to the advocate of codification in Yugoslavia to think of one kind of family law in Serbia and another in each of the other large sections of his country, it must seem more strange to think of the American "chaos" which permits divorce on trivial grounds in one state and forbids it entirely in another, even on Scriptural grounds. Furthermore, students of law in Yugoslavia who have not had occasion to look into American legal history are astonished to learn that there never has been a powerful movement in the United States in favor of a national codification of civil and criminal law, that indeed the spirit of liberty and experimentation is strongly against it. In fact within the individual states having fairly uniform social and economic conditions the process of codification, where attempted, has been a slow one, and not always satisfactory to its sponsors.

Yet we must be on our guard against exaggerating the "chaos" in the jurisprudence of the United States. A general basis, except in Louisiana, is laid in the common law, and the courts of each state pay more or less homage to the authoritative decisions of sister states. In all cases the legislatures of the several common-

wealths, when attempting the codification of any branch of the law or legislating on some phase of it, give heed to the experience of their neighbors. Moreover, significant work has been done by the National Conference on Uniform Legislation which has drafted model acts for negotiable instruments, sale of goods, warehouse receipts, partnerships, land registration, and kindred matters of especial interest.[6] If American experience is any guide, the law-makers of Yugoslavia might do well to proceed by slow steps, taking up matters on which uniformity is easiest to attain, commercial law, for example, and moving gradually into the other subjects, as social unification is realistically effected by railways, trade, travel, migration, the press, education, and economic progress.

[6] *American Year Book* for 1926, p. 248.

CHAPTER XIII

LOCAL GOVERNMENT

In their zeal for centralization, the makers of the national Constitution laid the groundwork for a complete scheme of local government. They stipulated that the country should be divided into provinces, counties, and communes,[1] according to natural, geographical, and economic conditions, leaving the details to legislation. They also established the general principle that in each of these subdivisions there should be created a representative assembly, elected by the voters and enjoying large powers of local self-government. In executing these provisions the government—by ordinance carried through under the special regulations contemplated by Article 135 of the Constitution and later ratified by the Parliament—made the geographical divisions and developed with great minuteness the whole scheme of centralized local administration.

First of all, the government divided the kingdom into thirty-three provinces *(oblasti)*. In general, this division was made with reference to topography, population, former administrative units, economic interests,

[1] Articles 95-101. The terms are *oblast, srez,* and *opshtina,* which cannot be rendered into any exact English equivalents. The words province, county, and commune are here chosen for convenience to help the reader avoid confusion. Strictly speaking, *srez* should be translated "district" but that word has no definite connotations in English.

and old sectional areas such as Croatia, Slovenia, and Bosnia. As a rule, the boundaries of provinces do not cut across sectional borders, that is, they conform to the lines of the historic districts which compose the kingdom; only in a few cases, for example, the Belgrade province, is the rule violated. Among themselves, the provinces differ materially in size and population. The largest has 798,000 inhabitants; the smallest 109,000. For practical and strategic reasons, each of the important cities of the kingdom, Belgrade, Zagreb, Ljubljana, Split, and Dubrovnik, for instance, is the capital of a province and the seat of its government. The number of counties in a province likewise varies; Dubrovnik has four, Zagreb nineteen, and Coastal-Kraina, at the head of the list, twenty-four.[8]

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At the head of each province stands a high administrative officer, the great zupan, or prefect, appointed by the Minister of the Interior and responsible to the government at Belgrade. Within the contemplation of the law, the great zupan should be an old and experienced civilian officer. According to the terms of the statute, he must be the holder of a degree in civil law and have seen fifteen years of government service. Legal training and administrative competence are the prime qualifications, in theory at least and to a con-

[8] For an excellent brief description with statistics, see article by M. B. Toshitch, *Belgrade Economic Review*, July-August, 1927. The Constitution also mentions a fourth local division, the *okrug*, formerly one of the prime administrative subdivisions of Serbia, but this is merely provisional—until the new three-fold division can be put into effect throughout the kingdom.

siderable extent in practice. Exceptions have been made, however, in a few instances. When a prominent general was murdered on the Bulgarian border in 1927, the prime minister, then serving as head of the Department of the Interior, selected an army officer to act as prefect of the district in which the crime occurred. For this action, the minister was vigorously attacked in Parliament. In the course of the discussion, it was said that the army officer did not, in fact, have the qualifications required by law, that his acts would therefore be *ultra vires,* and that his appointment was highly illegal. As if staggered for a moment by the sharpness of the criticism, the prime minister asked for time to consider the points raised and then allowed months to pass without deigning to make any reply.

Technically speaking the parliamentary critics were right. Practically speaking the appointment of the military officer to the post in question, at Skoplje, did not encounter the popular criticism which the parliamentary debates implied. The new zupan, Colonel Naumovitch, was born in the neighborhood of Skoplje, educated in part in that city, and spent years of his life there. His wife was born in a village nearby and was likewise a product of the community. Besides these specific reasons, which account for the popularity which the appointment evoked in wide circles, general considerations were urged in support of it. It was said, and with a good deal of truth, that a civilian zupan, in spite of his apparent aloofness, is in fact a party man, often politically active; that if ambitious to enter Parliament he will work in the local party organization while ostensibly carrying on his administration

with even-handed fairness; and that in his efforts to win popular favor he may prove weak in the face of threatened disorders. In favor of the military man, it was urged that he could have no immediate parliamentary ambitions or political designs and could thus combine firmness in administration with equal treatment for all political parties. At all events, the military appointment in question met with acquiescence, either because the arguments were valid or the circumstances on the Bulgarian border were so special as to call for exceptional action. No attempt was made to apply the precedent generally, but it stood in the record as an illustration of a custom that could be adopted wherever social disorder threatened to interrupt or disturb the ordinary course of provincial administration.

In ordinary practice, the great zupan is a civilian officer representing the central government in his province. Although his administrative duties are heavy and the high qualifications imposed by law exclude mere partisan hacks from the office, the zupan is essentially a political agent. His position and functions are in many respects identical with those of the French department prefect. He is the local eye and ear for the Minister of the Interior. Owing to his high authority over elections and police, the fate of ministries may depend upon his policies and measures. He may be removed, transferred, pensioned, and otherwise subjected to orders from above—saving always his rights as a permanent civil servant. But, owing to the importance of continuity in local administration, provincial prefects are not usually affected by fluctuations in min-

isterial politics; that is, the formation of a new cabinet does not necessarily mean a wholesale removal or transfer of prefects. Doubtless a serious party overturn, such as the triumph of a Democratic-Croatian coalition, would result in many changes, but in the ordinary run of affairs the zupan enjoys a tenure of power that is not measured by the fate of ministries in Belgrade. His administrative duties are heavy; it takes a new man a long time to become well enough acquainted with the local situation to be useful even in politics; and the Minister of the Interior cannot treat local sentiment with indifference. Hence, the zupan of competence is not likely to be thrown out of office lightly for transitory political reasons.

To use the familiar language of administrative law, the functions of the zupan fall into two classes. As the agent of the national government, he supervises the execution of national law and exercises control over the work of local authorities in innumerable relations.

In the enforcement of law, the zupan acts as the immediate subordinate of the Minister of the Interior in all matters coming within the competence of that officer, but his responsibilities do not end here. Within his jurisdiction also fall the local operations of several other ministries—ten in all as things stood at the opening of 1928. At that time, only seven ministries discharged their local functions through the agency of independent officers standing outside of the authority of the zupan. In fact, therefore, the zupan serves directly under certain ministries subject to their orders, and he may be requested by the other ministries, though not compelled, to assume additional obligations.

In the execution of the functions directly committed to his office, he has technical assistants and is aided by the local representatives of the several ministries. In this rôle, he likewise supervises the sub-prefects of the counties within his province, thus following the force of the law down through the lower ranges of the administrative hierarchy. He may compel the purely local executive agents of the province to act by bringing suit against them in the appropriate administrative court.

Besides the duty of carrying out national laws, the zupan is responsible to the national government for seeing that the laws and ordinances of local authorities do not conflict with national law or with the interests of the state. In this relation, he opens and closes the meetings of the provincial assembly in the name of the King. He may attend the meetings of that body and with the consent of the president may speak before it. Ordinances passed by the provincial assembly come to him for proclamation. If he finds any ordinance contrary to law or public interest, he may withhold action. In such a case, he must send the questionable ordinance to the State Council in Belgrade and to the appropriate ministries, with a written opinion explaining his refusal to sanction it. Within two months the State Council must decide; otherwise the suspended ordinance goes into effect as though formally approved. Minutes of the meetings of the provincial assembly must be sent to the zupan for review, and besides suspending ordinances in the manner just described, he may veto other decisions of the assembly. Against such a veto the assembly may appeal to the State Council and unless overridden by that Council within thirty

days it may put its resolutions into effect in spite of the adverse action of the zupan. It is the duty of the zupan to give the assembly each year information respecting the general conditions of the province and to answer appropriate questions bearing on that subject.

Each province has organs of local government charged with the duty of originating and executing local projects relative to roads, public works, humane institutions, sanitation, promotion of economic interests, and other matters enumerated in Article 96 of the Constitution. They also carry out obligations imposed upon them by the national government. These organs are an assembly and an executive committee.

The members of the provincial assembly are elected by direct, equal, secret ballot for a term of four years. One member of the assembly is assigned to every district having ten thousand population and an additional member is given if there is a surplus of five thousand inhabitants. Elections for the entire province are held on the same day and all men entitled to vote for members of Parliament may take part. Candidates for the assembly must have the qualifications of members of Parliament and must be residents of three years standing. Contractors, persons who sell supplies to the government, police, finance, and forestry officials, judges, and officers in charge of agrarian reform are declared ineligible. The whole election process—registration, polling, counting ballots, and making returns—is safeguarded by detailed provisions of law as in the case of parliamentary elections.[a]

[a] See above, p. 81.

Each year, on November 5th, the assembly is convened as a matter of law, and extraordinary sessions may be called by the zupan; likewise, on the initiative of the provincial executive committee or on petition filed by one-third of the assembly members. Meetings are public, unless secrecy is voted by the assembly with the consent of the zupan. The assembly elects its president, vice-president, and secretary and, as we shall see, the executive committee of the province.

First among the duties imposed on the provincial assembly by law is the passage of the annual budget presented by the executive committee; but provisions are made for extending the previous budget for a year, in case of delay beyond the stipulated period of two months. In the enactment of the budget, the assembly must follow a standard procedure designed to assure publicity and regularity. The budget itself must include all expenditures imposed on the province by national law, expenditures voted by the assembly for local purposes, payments on the debt service of the province, and taxes which fall upon it as a legal person. On the income side, the budget must show (1) ordinary income from property, institutions, public works, local taxes and fees, and surtaxes on national taxes, and (2) extraordinary income from sales of property, loans, subsidies from the national government, accounts receivable from the previous year, endowments, and miscellaneous sources.

In all cases, the budget is sent by the zupan to the Minister of Finance at Belgrade for scrutiny. Surtaxes on direct national taxes amounting to more than fifty per cent must have the approval of that Minister

before going into effect. Provincial loans of more than ten million dinars and alienations of provincial property to the value of more than a million dinars are likewise subject to his review. If he exercises his veto power, the provincial committee may appeal to the State Council for relief.

Responsibility for executing the budget and other decisions of the assembly is vested in an executive committee, composed of from five to eight members, elected by the assembly for the period of its life, that is, four years. This committee is similar in operation to the *magistrat* of the German city. It elects its own president and acts as a collective body with reference to common affairs. It carries out all legal obligations imposed on the province by national law or by decision of the assembly. It handles administrative affairs, manages institutions, issues temporary decrees subject to assembly approval, reports annually to the assembly, prepares the budget, and answers questions directed to it by the national government or the assembly. Its members may individually or collectively appear before the assembly and with the consent of that body speak on pending business. The administrative functions discharged by each member are determined by the assembly and conflicts of jurisdiction are decided by the president. Besides discharging its purely provincial duties, the committee must coöperate with the zupan in the execution of national law. In this relation, it stands directly under the zupan and may be compelled to proceed by an action brought by the zupan in the provincial administrative court.

With a view to establishing general standards for

local finances, the national law relative to local government provides that the Main Comptroller in Belgrade shall secure from the authorities of the province their financial report for the year, and shall scrutinize it within six months after the expiration of the fiscal period. Moreover, the Supreme Accounting Court in Belgrade, besides making an annual survey of the finances of each province, has the right to send an inspector at any time to go over its accounts. When the Court has completed its scrutiny, the financial statement of the province is laid before the provincial assembly and is subjected to an examination at the hands of its finance committee as well as to the criticism of individual members. This process is facilitated by a system of uniform accounts for the Kingdom, now in process of installation.

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The province is divided into counties *(srezovi)* varying in number from four to twenty-four. At the head of the county stands an executive officer, a sub-prefect, bearing about the same relation to his district that the zupan bears to the province. This officer, like the zupan, is appointed by the Minister of the Interior. According to the terms of the statute, he must be a graduate in law with at least eight years in public service to his credit; besides he must pass a special examination and serve two years on probation before receiving a permanent appointment. Under the civil service law, the sub-prefect is not a permanently settled official but may be transferred from one place to another without right of appeal. As may be

imagined from what has just been said, he is more of a political officer than the zupan, that is, he depends more on the hazards of national politics and is likely to be removed with less regard for local opinion.

To the administration of the county the sub-prefect stands in about the same relation as the zupan to the province, except that his rôle is not so important and his duties are more in the line of execution than supervision. Within his jurisdiction falls the business of the several ministries whose local functions are discharged through the office of the zupan. He, too, has technical advisers and assistants—a sort of cabinet in charge of such matters as sanitation, public works, education, economy, and forestry.

In addition, in the larger counties, the sub-prefect may have, if the zupan and Minister of the Interior so decide, a body of councillors speaking for administrative subdivisions of the county. The purpose of this council is to bring the administrative system more closely in touch with the localities, nearer to the people. When it is urged, in objection to the system, that the government should create more counties, the reply is made that "the more counties we have, the more assemblies and heavier expenditures." In coöperation with the technical assistants and the council, where such a body exists, the sub-prefect carries out national laws applicable to the county and ordinances passed by the county assembly. His decisions in all such matters, however, are subject to review on appeal by the zupan and also by the State Council in Belgrade.

Applying the principles of self-government to the county, the law provides for two autonomous organs:

(1) a county assembly elected by popular vote according to the same general rules as the provincial assembly, except that the ticket is not by districts but at large—the entire county composing one unit; and (2) a county executive committee chosen by the assembly and charged with local executive functions. Within the bounds of law, the assembly legislates, enacts the local budget, and lays taxes for local enterprizes and improvements. Within its competence fall such matters as county finances, public works, promotion of agriculture, roads, institutions for the poor and sick, institutions for savings and credit, assistance to trades and industries, and administration of public property.

Such, at least, are the terms of the law. As a matter of fact, however, while the system of county subprefects has been installed, the establishment of county assemblies has been delayed. Such organs exist only in Serbia, where *srez* assemblies elected under Serbian law in pre-war days continue to function. How long the institution of county assemblies will be deferred is still (1929) uncertain. It is urged that they will be expensive to the taxpayers and render no services comparable to their cost. Perhaps, in their haste to apply identical principles to the entire Kingdom, the makers of the local government law allowed logic to outrun practical requirements.

The officials employed by the province and county come within the scope of the national civil service law, although those already in service were retained on the inauguration of the system and allowances have been made for a period of transition. Subject to such nec-

essary exceptions, local officials are assimilated in principle to the state service with respect to qualifications, promotion, tenure, pensions, and civil rights. Under certain conditions they may be transferred to the state service and receive credit for labors devoted to the county or province. Indeed, within the contemplation of the law, theoretically at least, the way is open for promotion from the lowest range of local government upward into the state employment. Doubtless a development of this principle and a more consistent application of it would contribute to the unity of the state.

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Below the county and constituting the lowest unit of local government is the *opshtina*—a word for which there is no equivalent in English. It may be a rural hamlet, a considerable village, a town or a city. It may be translated with justification by the French term *commune;* but that will not help English or American readers unless they know that the French, with their passion for legal uniformity, call their lowest local units "communes" whether they are hamlets of a few hundred acres and a handful of people or great cities like Paris and Lyons.[4] In the case of the *opshtina,* there exists no uniform law for the Kingdom of the Serbs, Croats, and Slovenes. Legislation of this character is under discussion, but pending its enactment the laws of the various sections touching this subject remain in force, except in so far as they have been modified by national legislation, such, for example, as the constitutional provision of manhood suffrage

[4] E. M. Sait, *Government and Politics of France,* p. 255.

for all elections. Only a few generalizations may therefore be ventured with any degree of safety.

The legal basis for the government of cities is not to be found in any national statute. The laws of the sections, inherited from earlier times, are still in effect, modified in practice by local changes arbitrarily made for one reason or another and by certain national laws incidentally affecting municipal administration. Yet in the midst of this diversity there are some uniformities. The system of manhood suffrage, established by the Constitution, prevails automatically in municipal elections. Each city has an executive officer corresponding to a mayor and a council of some kind chosen by popular vote. In some cases, the mayor is elected by the council and in others at the polls. All cities have a limited taxing power and can plan and execute numerous projects relative to local affairs—health, street improvements, utilities, and kindred matters. All cities are subjected in certain actions, particularly financial, either to the provincial zupan or directly to appropriate ministers in Belgrade.

In all sections of the Kingdom, a differentiation is made on the basis of population between the *opshtinas*, with respect to form of government; and the larger municipalities are given a special position by law. In Serbia, there exists a uniform law for *opshtinas*, whether villages or cities, with exceptional regulations applicable only to the latter. According to its terms, every *opshtina* has a council, varying in number with the voting population, a board of aldermen, and a president or mayor, all elected by popular vote under detailed safeguards respecting registration, vot-

ing, and ballot counting. A simple system prevails in most places: the party which casts the largest number of votes secures all the offices; but in Belgrade and other municipalities which are single parliamentary districts the party with the highest vote gets the office of mayor, all the aldermen, and two-thirds of the councilmen—the remaining third being distributed among the other parties in proportion to their vote. The city of Belgrade has forty-five councillors, twelve aldermen, and a president, elected in the manner just indicated. The aldermen or senators serve as an administrative cabinet, akin to the German *magistrat,* divided into departments, such as, general administration, economics, sanitation, public welfare, waste collection and disposal, water supply, engineering, tramways and electricity, city workshops, and two without specific functions.

In Croatia and Slavonia, the old form of city government remains essentially unimpaired, although its spirit and practice have been radically altered under the manhood suffrage provisions of the national Constitution. There the *opshtinas* may be divided for convenience into two broad classes: villages and cities, and the latter subdivided into three groups on the basis of population and special legislation. Each village has a council ranging from twelve to twenty-four members, according to population, elected by the voters. It also has a president (or mayor) elected by the council. In the cities, including Zagreb, the government consists of a council chosen by popular vote, and a mayor selected by the council. As in Serbia, there is an administrative body whose members individually act

as heads of the great departments of municipal government, such as sanitation and public works.

To the westward, in Slovenia and Dalmatia, the system of *opshtinas* is similar to that prevailing in Croatia. There are to be found the usual rural communes, small cities, and cities (over 4,000 in population) with special charters. Similar organs of government—council, senate, and mayor—established under the Austrian régime have been continued without any marked change. It is true that the principle of manhood suffrage prescribed by the Yugoslav Constitution is applied, but that right had already been enjoyed in Slovenia for some time under Austrian government.

To the eastward in Voivodina, Hungarian municipal legislation is still in force, subject of course to the modifications introduced by the Yugoslav Constitution and laws, particularly with respect to suffrage and elections. Besides the rural and urban communes, with councils, senates, and mayors, that section has in addition four free cities, Novi Sad, Vrbas, Sombor, and Subotica, which are, in the measure of their autonomous rights, on a footing with provinces *(zupanias)*.

With respect to Bosnia and Herzegovina, about all that can be said with safety is that municipal government in those sections is in a state of transition. Austro-Hungarian legislation of 1907 relative to urban communes and special laws for Sarajevo and Mostar remain in force, except as modified incidentally by national legislation. In Sarajevo the mayor, vice-mayor, and a special trustee are appointed by the government, while in Mostar the mayor and vice-mayor are chosen by the city council which is in turn elected

by popular vote. Each city has an administrative bureau (*ured*) consisting of the mayor, vice-mayor, and appropriate departmental heads selected by the council, except in the case of Sarajevo as already noted. In the rural districts of Bosnia and Herzegovina, the government of the commune is vested in a council popularly elected and in a mayor-president chosen by the council. Such at least is the theory of the law. In practice, elections have not been regularly held in all places; in Sarajevo, for example, the council functioning in 1928 was a somewhat informal organization representing the political parties, set up during the days of reconstruction at the close of the World War.

Into local and municipal elections, as a rule, run the same party divisions which are to be found in the national parliamentary elections, producing similar results, except where, as in Serbia, the law gives effective control to the party receiving the largest vote. In the election for the municipal council, on January 8, 1928, in Ptuj, for example, the Democrats won six seats, the German party eight, the Slovenian Populists four, and the Radicals two. Obviously the municipal government in this case must be a coalition.

When such a state of affairs prevails, the election of the mayor becomes a matter of trading and bargaining in which the welfare of the city is not always the prime concern. To give an illustration, in the winter of 1928, the city of Maribor was thrown into great excitement over the choice of the mayor. Owing to the number of small parties in the city council, a deadlock ensued, in which the Slovenian Populists, the Germans, and the Radicals were arrayed on the one side and the Inde-

pendent Democrats, Socialists, and Communists on the other, with other factions uncertain in their movements. Not until the Independent Democrats finally cut loose from the left wing and joined the bourgeois *bloc* could the deadlock be ended. As a reward for the transfer of allegiance, the Independent Democrats received the office of vice-mayor and other considerations.

Against such politics, protests go up continually from citizens primarily interested in municipal improvements—better streets, schools, water works, sanitary appliances, and transportation facilities, but as yet such protests have produced slight effect. Indeed, there is little in the experience of Western countries to lend encouragement to those Yugoslav citizens who are eager to substitute economics, science, and action for rhetorical discourses on politics.

Another practice which works for confusion in local affairs is that of requiring, except in the case of certain major cities, the approval of the central government, through the provincial zupan, whenever a mayor is to be elected. Besides holding up the transaction of municipal business, it encourages the injection of national politics into municipal affairs. For instance, on January 17, 1928, the election of mayor in Osijek was scheduled. The city assembly met for the purpose in due form. After a long wait, it was informed by a telegram from the Ministry of the Interior that the election must be postponed until the appointment of the new zupan for that district. Thereupon, the members of the assembly (except the Radicals who had a party colleague in the Minister of the Interior) went

into session, passed a resolution condemning the blockade imposed by Belgrade, and sent a telegram of protest to Mr. Davidovitch, head of the Democratic party.

Besides wasting time and stirring up unnecessary partisan bitterness, such transactions direct the attention of citizens from important municipal business and delay improvements in the public interest. To require the approval of the central government in the case of mayoralty elections seems to add a useless burden and expense, especially in view of the fact that the whole police system, military and regular, is controlled from Belgrade. It appears to be simply another case of futile bureaucratic politics.

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Ultimate control over all local authorities is highly centralized in Belgrade. In legislative matters they are under the watchful eye of the provincial zupan; their ordinances may be suspended by that agent of the national government; and any action contrary to law or public policy may be blocked on appeal to the capital. With respect to administrative affairs, provincial and county authorities are subject to orders from several ministries and, in the execution of the powers they enjoy over local business, they are under the constant scrutiny of higher administrative officers. If appeal is taken to administrative courts, the decision finally rests with judges appointed by the national government.

In matters of police, the local authorities have no autonomy at all. That function is concentrated in the Ministry of the Interior and carried out through

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the agency of the provincial prefects. To the army all police officers owe their training and discipline and to the Minister of the Interior and the provincial prefect they look for orders relative to service. It is true that some cities maintain local forces in addition, but they are not independent; on the contrary they are subordinate to the national direction. In case any disorder gets out of hand and cannot be suppressed by the regular police, the central government can proclaim martial law under the Defence of the Realm Act, and substitute direct military control for the ordinary police régime. Finally, the finances of local authorities are subject to central supervision; this supervision applies not only to sur-taxes added, for local purposes, to the national taxes but also to expenditures which do not in any way jeopardize national revenues.

Besides being subject to central control in the discharge of their autonomous functions, local authorities are heavily burdened with duties imposed by national law and executed through appropriate ministries. Of the various ministries in Belgrade, no less than ten work directly through the provincial prefect, while the others have their own agents in the provinces. No doubt some of this centralization is due to the disorganized state of affairs at the close of the World War which called for quick action and national aid in finance. Moreover, there is now to be observed a movement in the direction of decentralization. Provisions have already been made for transferring to the provincial authorities certain hospitals and watering places, the maintenance and repair of roads and bridges, craft schools, state workshops, institutions for children, hydrotechnical works, model farms, control

over local sanitary works, and numerous other institutions and functions. But it can hardly be said that the local authorities are given to rejoicing over all such gains in local autonomy, especially in so far as they impose new financial burdens; nor is the national government liberated from all responsibility in the premises, for it must continue to subsidize even where it has surrendered administrative functions.

The general rule requiring for the legalization of city budgets the sanction of the executive committee of the province in which the city is located produces endless delays. For example, near the middle of January, 1928, the budget of the city of Zagreb was still before the executive committee of that province; on the 14th of that month action had to be postponed because five members of the committee were in Belgrade on political business and no quorum could be secured. Thus a budget which should have been disposed of about a month before was left hanging in mid-air. In the meantime, all activity in the city hall, except minor current business, had been brought to a standstill, pending the return of politicians from the capital. There seems to be no good reason, save in bureaucratic red tape, for requiring the approval of municipal budgets by any higher authorities, provincial or central —except possibly where sur-taxes on national levies and large loans threaten the financial resources of the national government. Even then fixed rules of law could take the place of administrative scrutiny and veto.

From time to time the question is raised whether the larger cities should not be cut out of the provinces and freed from control and taxation by provincial author-

ities. The reasons for this demand are self-evident. It is urged that under the present system cities are compelled to pay for improvements which redound to the benefit of the surrounding country region and are in various ways subject to interference from the provincial government. In other words, it is the ancient case of "home rule" in a new form. To arguments in favor of such autonomy, it is replied that the change would require an amendment of the Constitution, which establishes the provincial system in definite terms, and that, in economic reality, the city cannot be separated from the rural region which, in a large measure, supplies it with foodstuffs and at the same time consumes a considerable part of its manufactured commodities.

Although this issue of "home rule" is frequently discussed, it has not passed beyond the stage of debate. Indeed, the very mention of it calls forth strong objections. When, for example, it was suggested in the finance committee of the National Parliament, on March 21, 1928, that Zagreb's burdens might be reduced by separating the city from the surrounding province, Mr. Stephen Raditch spoke strongly against the idea, laying emphasis on the constitutional and financial aspects of the subject. "Must the peasants pay for country roads worn out by automobiles from the cities?" asked an old and experienced prefect in a southwestern province, in response to a question touching municipal home rule. If merely illustrative, the query none the less went to the heart of the problem and indicated the difficulties involved in any attempt to grant to the cities autonomy within their respective provinces.

It is impossible to travel far in Yugoslavia without encountering criticisms of the scheme of local government instituted since the Union. It is almost universally agreed that it was a mistake to embody a rigid system, with numerous details, in the Constitution and thus put it beyond the reach of quick amendments by legislation. Equally general is the objection that the provinces (*oblasti*) are too small to satisfy the demand for local autonomy and, as a rule, too large to work well as local government units. It is frequently urged that they vary too much in population (from 109,000 to 798,000), do not correspond in fact to important social, economic, and historical divisions, and involve the creation of governmental machines calling for expenditures out of proportion to the benefits they confer. Concerning the utility of the counties (*srezovi*) serious doubts are entertained in many quarters; at all events the long delay in creating the county assembly calls forth little or no criticism, and the absence of objections suggests the opinion that this local legislature is regarded as an unnecessary wheel in the local machinery. Nearly every independent observer agrees that the whole system—provinces, counties, communes, and cities—is too highly centralized and that a reconsideration of the structure from top to bottom is required in the interest of efficiency and economy. Yet it would be a mistake to allow such criticisms to obscure the fact that in various places, especially in Macedonia, the provincial government has brought about immense improvements in roads, sanitation, health administration, and public works.

CHAPTER XIV

FOREIGN POLICY AND NATIONAL DEFENCE

Contrary to an impression which seems to be common among military men, national defence is no exact science; neither is warfare. Both depend upon imponderable elements; intelligence hath its victories no less renowned than those of the sword. No doubt national defence must bear some precise relation to natural configuration: mountains, rivers, and seas, but inventiveness continually introduces new incalculable factors. Tradition requires certain equipment and maneuvers, but as the World War demonstrated their utility is doubtful and reliance upon them is likely to be fatal.

Passing outward from mechanical operations, which after all require little ingenuity in execution, the problems of national defence become infinitely complicated. War games devised for practice preparatory to action are always based upon speculations as to probable foes; immediate calculations are generally correct; yet the vibrating network of world commerce and international finance introduces probabilities and potentialities of unknown proportions. This the German General Staff learned to its regret in 1917. Hence it follows that the nature of preparations for national defence cannot be left to the determination of military engineers; if given

a free rein they would transform every nation into a standing menace to its neighbors. In nature and extent national defence must depend upon the foreign policy pursued by the government, as the visible sign of powers both popular and economic within the nation.

And foreign policy—upon what does that depend? Upon the state of internal affairs. Upon frontiers, political and economic. Upon historic grievances cherished by and against neighboring powers. Upon rivalry over trade, territory, and resources. Upon concepts of values accepted by the people. Upon the ambitions and economic strivings of the masses. Above all, upon calculations relative to enduring national interests. The roots of diplomacy are the roots of war, for war merely projects upon the field of battle the conflicts of the green council table.

Like war, diplomacy is no exact science. Knowledge of polite usage, of economic forces real and potential, and of political customs does not automatically produce diplomatic wisdom, if by wisdom we mean the power to forecast and conserve mere national advantages, to put the matter on a simple basis. The history of wars precipitated by diplomacy betrays the fatal weakness of mankind—the incapacity to foresee the consequences of actions, the inability to discover even the most serious potentialities inherent in human negotiations.

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At the outset it must be admitted that the foreign relations of Yugoslavia are decidedly unsettled. Vari-

ous reasons, differing in significance, may be assembled for this state of affairs. All Europe is unsettled and the connection of Yugoslavia with the European balance of powers is so close that every tremor in that system is felt from Slovenia to Macedonia. Stretching from the Adriatic almost to the Aegean, the country is heir to all the troubles of the Balkans—all the ancient conflicts between East and West. As already indicated, the internal politics of the Kingdom is in turmoil, adding to the difficulties inherent in developing and maintaining a consistent program of foreign affairs. Particularly grave is the dispute between Croatia which looks to the Adriatic, bordering on Italy, and Serbia whose historic affiliations run toward the Aegean. The situation in Russia adds to the confusion. Until the downfall of the Tsar, Serbia leaned on the diplomats of St. Petersburg and took their advice supplemented by counsel from Paris. Today Russia is revolutionary, communism is outlawed in Yugoslavia, and there are no diplomatic relations between Belgrade and Moscow. While the historic understandings with France have been continued and embodied in an open treaty, the loss of the senior partner to the North has deprived the South Slavs of a powerful support in their European negotiations. To such disturbing factors must be joined the reverberations of the World War and the friction caused by the settlement at Versailles which introduced a new perplexity for every one that was removed.

To the items just enumerated should be added those arising from "the problem of the minorities." The Paris Peace Conference assigned nearly half a million

South Slavs to Italy and a small number to Austria, thus creating zones of friction and agitation just outside the borders of Yugoslavia. At the same time, the Conference included within the boundaries of Yugoslavia between two and three million people of other nationalities—Germans, Hungarians, Rumanians, Bulgarians and Italians principally. As in the case of similar settlements with Poland and Czechoslovakia, the Conference required Yugoslavia to guarantee to these minorities certain rights under the protection of the League of Nations, thereby arousing bitter resentment on the part of the government of the new Kingdom.

In no relation can it be said that the system is working smoothly. In the first place, there is a profound difference of opinion everywhere with respect to the fundamental purpose of the guarantees made to minorities. Were they intended to preserve each minority intact within the society in which it is incorporated? Or were they merely intended to assure certain rights to the minority until it could become gradually assimilated to the surrounding order? Naturally the minorities answer the first of these questions in the affirmative, while dominant governments take the opposite view. When Dr. Stephen Kraft, a German member of the Yugoslav National Assembly, raised the question of German rights under the treaty, Mr. Svetozar Prebichevitch replied by citing the treatment meted out to Croatians in Burgenland, to South Slavs in Italy, and to Slovenes in Austria; then he declared that everyone who lived in Yugoslavia must bear the national stamp, and that the guarantees to minorities

were matters of reciprocity, implying thereby that Yugoslavia would observe her treaty obligations when the other countries did.

Among the various minorities in Yugoslavia, the largest, the best educated, and economically the strongest are the Germans, numbering they claim about 700,000. In the language used by Dr. Kraft in a speech in the Parliament on March 14, 1927, "the German minority takes its stand upon the principle of cultural autonomy in local administration." Relying on the guarantees of the treaty of St. Germain, they contend that their rights are infringed by the government of Yugoslavia. Their teachers, they say, have been driven out to make room for Yugoslavs who are at best poorly acquainted with their language; their children are compelled to learn Cyrillic and Croatian characters, besides German script and ordinary Roman characters; they are forbidden to teach German to their children even in their homes; their local administrative officers are ousted in favor of government supporters; they suffer discrimination in the use of their language in minor matters of no consequence to good administration. These cultural items are supplemented by economic items; for example, it is alleged that in the execution of land reforms German landlords and agricultural laborers have not received equal treatment as compared with their Slavic neighbors. This is not all. The Germans claim that under government orders a large number of German voters are excluded from registration and elections and that their leaders are occasionally assaulted by members of the patriotic society *Orjuna*. These allegations are not made secretly but

are to be found in speeches delivered by German members of the Parliament.[1]

While no casual foreign observer could accurately fix the measure of exactness in the contentions of the various minorities in Yugoslavia, the fact remains that their agitations are continuous and contribute to the complexities of the diplomatic situation. Nor are they to be concealed by the government through any process of silence and evasion. If justice forbids an exaggeration of their importance, it likewise requires a recognition of their gravity. Although people in Western Europe and America seldom take trouble to read speeches in the Yugoslav Parliament, they are periodically reminded of the minority question in Yugoslavia by reports of disorders in Macedonia and shooting affairs in Belgrade and Sofia. Were the newspapers negligent in giving prominence to such affrays, certain lively propaganda agencies in the United States, especially those working in behalf of Macedonian and Montenegrin autonomy, would more than make up for the oversight. At all events, the diplomacy of Yugoslavia must reckon with the widespread ramifications of the minority question.

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To descend to particulars and begin with the most obvious data of diplomacy and defence, namely, frontiers, it can hardly be said that Yugoslavia has strong

[1] A temperate statement of the German position is to be found in *Die Notlage des deutschen Schulwesens in Südslawien.* Reprint from the Deutschen Volksblatt, March, 1927, Novisad; also *Warum darf der deutsche Wähler am 8. Feber nur für die deutsche Liste stimmen?* Deutsche Druckerei, Novisad, 1925.

strategic boundaries. They are boundaries of nationalism and accident, not of nature. Wide seas and high mountains do not separate her from the outside world. Around her borders and set off by artificial lines are seven neighbors: Italy for 208 kilometers; Austria, 246; Hungary, 670; Rumania, 207; Bulgaria, 505; Greece, 220, and Albania, 352.

With respect to Italian relations it is no secret that they have been strained since the creation of the enlarged Kingdom. Indeed it must not be forgotten that, if the Serbs were on the side of the Italians in the World War, the Croats and Slovenes fought zealously in the Austrian army on the Italian front, not unmindful that victory might enlarge their provincial boundaries in the West and South. As a part of her price for joining the Entente, Italy exacted, in the pact of London, the promise of Dalmatia and numerous Adriatic islands inhabited by Yugoslavs. After the collapse of the Central Powers, came the controversy over the spoils of war, the seizure of Fiume by the Italians, the clamor of ambitious imperialists in Rome for dominion over the eastern shores of the Adriatic, and the actual penetration of Albania by Italian financial interests and military advisers.[3]

While the governments of the two countries have been attempting to reach an understanding, there has been constant friction on the frontiers. Charges of espionage and violations of national rights are made on both sides. Bitter recriminations in the newspapers are greeted by the customary cheers in the streets and

[3] On this point see an important article by Hamilton Fish Armstrong, *Foreign Affairs*, for January, 1928. Also below, p. 316.

cafés. Until Mussolini took the direction of affairs in Italy no politician in Rome dared to tackle the thorny Fiume question; when the Belgrade government tried to secure from the Parliament a ratification of the Nettuno conventions in the summer of 1928, students in Belgrade threw up barricades and resorted to rioting.[8]

Although it is probable that few Yugoslavs look upon themselves as troublesome imperialists eager for the next war in which the borders of the Kingdom are to be enlarged, quite a number of them, judging from the press, are convinced that Italy is an imperialist menace to their very national existence. When Mussolini, in the spring of 1927, made his great address in Rome picturing the mighty Italy of the near future with sixty million people, an army of five million soldiers, a huge air force, and a navy dominant in the Mediterranean, the alarms among the Yugoslavs were very genuine. Nor has the constant advance of Italian interests in Albania, accompanied by the construction of roads available for military purposes, allayed their fears with reference to the Adriatic ambitions of Rome. If the diplomatic stiffness of Bulgaria is not due to quiet understandings with the government on the banks of the Tiber, at all events it is attributed by large groups in Belgrade to some such furtive negotiations. When the Yugoslavs look first on their twelve million people and then on Italy's forty millions, they think that their anxieties concerning Italian imperialism are well grounded.

[8] The conventions were ratified in August, 1928, by the National Assembly in Belgrade.

Yet it would be a mistake to assume that this imagery of distrust exists only in the Kingdom of the Serbs, Croats, and Slovenes. To the Italians, Yugoslavia does not always look like a small country, with national ambitions fully satisfied, bent upon peace at any reasonable price, and always innocent with regard to the diplomacy of material advantage. If anyone wishes to discover how Yugoslavia is mirrored in the minds of Italians, especially on the right wing, he should read the articles of the semi-official journalist, Italo Zingarelli, long a correspondent of several great Italian journals, dealing with Balkan nationalities and problems.[4] Mr. Zingarelli represents Mr. Pribichevitch as declaring that Zara is a thorn in the flesh of Yugoslavia, that Fiume must belong to Yugoslavia, that a question of high prestige is here involved, and that the French alliance and the Little Entente must be ardently supported—for obvious reasons. At the same time, speeches by Mr. Raditch demanding the acquisition of more territory in Carinthia and Istria are cited for Italian consumption. Fragments of speeches in Parliament indicating an animus against Italy are translated for Italian readers. When the Belgrade government by a friendly action shows a correct attitude supported by a majority in the National Assembly, Mr. Zingarelli quotes from the opposition, emphasizing the remarks of one speaker: "In fact the majority does not believe what it says. Whenever anyone speaks of friendship with Italy, everybody laughs."

[4] A number of Mr. Zingarelli's articles are collected and done into German under the title *Der Gross-Balkan*, Vienna, 1927. This work, according to the Belgrade papers, was suppressed in Yugoslavia by the police early in the following year.

Arguments of the Slovene irredentists who are shouting for the annexation of more land at the expense of Austria, while forgetting the Germans, Hungarians, and other minorities in Yugoslavia, are served up for the Italian public with piquant sauce.

Not content with portraying outward signs of Yugoslav chauvinism, Mr. Zingarelli charges the Yugoslav government with poisoning the minds of the children by the use of school books distinctly unfriendly to Italy. "The Yugoslav youth," he exclaims, "is taught that a war with Italy would last only two weeks, and that with one army corps Rome could be taken, and that the Italians mistreat the Pope." The patriotic society *Narodna Odbrana* is described by the Italian journalist as a secret fomenter of war, subsidized by the Yugoslav government; the *Orjuna,* the Yugoslav Nationalist Organization, is put in the same class; and another secret society, the *Jadranska Straza,* Adriatic Defence, is presented to Italian readers as a menace on the Adriatic.

Having delivered these opinions, Mr. Zingarelli adds that it is hardly worth his while to speak of minor matters. "The contemporary civilized world," he concludes one article, with evident pride, "now knows that De Pineda and Nobile are examples of the Italian race, although efforts are systematically made to kill by silence all achievements of Italians in science, industry, military affairs, politics, sports, and social undertakings. However, to make Italy small and weak it is not enough to set the printing presses in motion; tearing the Italian flag from a consulate does not prevent its flying proudly in the world."

If, however, one turns from the activities of politicians and the words of journalists, both of whom thrive best in stormy times, to substantial matters of commerce, industry, and general welfare, one finds it difficult to discover any material grounds for this antagonism between Italy and Yugoslavia. They are not rivals in commerce; their economic systems supplement each other. Italy takes more than one-fourth of the exports of Yugoslavia; from Italy the people of Yugoslavia buy nearly one-fifth of their imports. Prosperity in the forests and fields of Yugoslavia depends in a great measure upon prosperity in Italian industries, and in return capitalists and working people in Italy have cause for rejoicing in an increase in the buying power of Yugoslavia. How either of the two nations can hope to benefit from a war simply passes imagination. If agitators and journalists were really interested in anything except themselves, they could hardly escape the conclusion that peace is the best policy for both countries. And peace requires reciprocal concessions and forbearance.

On an entirely different footing are the relations of Yugoslavia and Austria. The Slovenes never cherished toward Vienna the ill-will which the Croats entertained toward Budapest. They enjoyed more democracy and self-government, and they were drawn by ties of religion to the Austrian capital. There are some Slovenes left in Austrian territory and a few irredentists demand their return "to the motherland," but nobody save a handful of extremists wants to make trouble over this question. On the other hand, Austria, beaten and disarmed, is now too small to be feared by

Yugoslavia; nothing but a union with Germany could raise serious complications in this quarter. Vienna is red, not imperialist. The rural districts of Austria are peasant and Catholic and the remnants of the old Austrian aristocracy are hardly powerful enough to raise up a new imperialist dynasty. Moreover, the interests of Austrian trade and capital in Yugoslavia are too valuable to be jeopardized by useless international friction. Unless a restoration of the Hapsburgs and a reunion with Hungary could be effected—and such events now seem remote—relations between Yugoslavia and Austria should remain on a friendly basis. If Vienna is not to perish economically, it must have its share of the commerce of the new Kingdom.

Across the border in Hungary more constraint is evident. That country is ruled by a powerful landed aristocracy; unlike Vienna, Budapest is not socialist. This aristocracy is utterly out of sympathy with the kind of peasant democracy prevailing in Yugoslavia; indeed it is menaced on the left by the very existence of that democracy. Moreover, it is profoundly dissatisfied with the settlement made at the close of the World War and not without some justification. The transfer of rich sections of land to Rumania and Yugoslavia, including a large number of Hungarian people, is still resented and soreness arising from it is kept acute by continual agitations over the rights of minorities. Eager to restore the monarchy and to undo the Trianon treaty at some expense to Yugoslavia, the Hungarian aristocracy is undoubtedly willing to coöperate with Italy in producing "eventualities" in the Balkans; perhaps the controversy over the attempt to

smuggle arms into Hungary in 1928 was a straw in the wind. Moreover, there has been launched in England a movement in favor of treaty revision, if nothing more, perhaps with an eye upon a balance in the Mediterranean against the overwhelming airplane power of France. Hungarian trade with Yugoslavia is relatively slight and hence it can hardly be said that strong economic bonds unite the two nations. Obviously their diplomacy must be correct and circumspect rather than reciprocally cordial.

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Between Yugoslavia and Rumania, on the other hand, there are close ties. Both hold territory formerly belonging to Hungary and Bulgaria. They have a common interest in keeping what they have received. Land reform in Rumania, though slower, is in progress, extending the power of the peasant democracy at Bucharest. Though occasionally engaged in flirtations with Italy, Rumania is a member of the Little Entente and has no fundamental economic reasons for antagonism to Yugoslavia. At least, there is nothing in sight that promises to work a serious dislocation of their diplomatic orbits.

To the southeast lies Bulgaria—a peasant country, governed by a military party sustained by a small middle class and the bureaucracy. While the radical peasant leader, Stamboulisky, dominated the scene in Sofia, there were prospects for a rapproachment between the two nations, but after his assassination the horizon became overclouded. It is not to be denied that a strong resentment still smoulders in Bulgaria on

account of the second Balkan war which ended in defeat and the transfer of a large part of Macedonia to Serbia —a resentment made all the stronger by the ruin which followed coöperation with the Central Powers during the World War. Nursing old grievances and insistently claiming Macedonia, many Bulgarians oppose all attempts to make a permanent peace on the basis of the *status quo*.

With regard to the merits of the controversy between Yugoslavia and Bulgaria over Macedonia, no fair judgment seems to be forthcoming. Their official reports on the racial composition of the Macedonian population are at utter variance and there is no way of arriving at a conclusion on the validity of their claims. Expert ethnologists call Macedonia "an ethnological museum." Anthropologists are all at odds over the nature of "race." Travellers and private investigators report only impressions—usually worthless for statistical or any other purposes. Whatever the facts in the racial dispute, it is certain that Macedonia suffers from disorders, inspired partly from Bulgarian sources, partly by Bulgarian sympathizers and by autonomists in Macedonia. Charges and countercharges, assassinations, banditry, trials, and executions have marked the history of the recent years. That the peasants or working people or businessmen on either side derive any benefit from these disturbances is nowhere apparent; indeed their distresses and losses are evident to the naked eye. Perhaps, an arbitration treaty and a joint high commission of experts could arrive at some reasonably just judgment on the merits of the controversy, assuming good faith on both sides

—unless, forsooth, the Bulgarian government is hoping for a better redistribution of land in a general conflagration, the price of which Europe and America will have to calculate.

With Greece, the other partner in the first Balkan war, Yugoslavia is on better, though strained, terms, and the elections favorable to Venizelos in August, 1928, are interpreted to mean an improvement in relations. Only one major issue divides them, namely, the settlement of Yugoslavia's rights in the free zone at Salonika. For both countries this is a delicate question. However strong may be Serbia's historic claim to this economic exit on the Aegean, it is a wound to Greek national pride and none of the many governments which have been set up in Athens during the years since the World War has ventured to bring the discussion to a conclusion acceptable to Belgrade. Besides being embarrassing for the Greeks, on emotional grounds, the zone deprives Salonika merchants of profits and introduces troublesome problems in international law—for war times especially. Hence things stand in a deadlock. For Serbia, the matter is important, on account of the advantages of free import and export through the contested zone. Yet, now that Yugoslavia is united and has outlets on the Adriatic, the Salonika question is not as vital as it was to Serbia standing alone; at all events, it is not great enough to warrant the development of a dangerous friction between the two countries.

Far more tense, for the moment, are relations with Albania, particularly on account of Italy.[5] No doubt,

[5] See above, p. 308.

the Serbs have long had ambitions in that direction. Among the understandings of the alliance which produced the first Balkan war of 1912 was the agreement that Serbia and Montenegro were to receive compensations in Albania, although neither by race nor historical affiliations did the Albanians belong to either of these countries; nothing but the intervention of the Powers [6] prevented this outcome. At the close of the World War, which left Albania "independent," a rivalry appeared between Yugoslavia and Italy for predominance in this sphere of influence. In the end, Italy got the upper hand and is apparently preparing for the military occupation of the country—a preliminary to a crisis which can only mean war;[7] but it is difficult to see how great profits can accrue to Rome from this victory in diplomacy and negotiation. For strategic reasons, Albania would be useful to Italy in realizing a program of conquest and expansion across the Adriatic—a maneuver that would probably mean a general European war, with a dubious outcome for all parties. Economically, Albania can hardly pay interest on the Italian investments already made; unless forsooth large quantities of oil are discovered there. Nor can Yugoslavia hope to make it yield returns; while an attempt to conquer and annex from that side would produce world complications in another form. Hence it may be concluded that Albania is not a special problem for Yugoslavia, but merely part of a total complex of relations which hangs more

[6] Inspired by the government of Austria-Hungary with imperialist ambitions of its own.

[7] New York *Herald Tribune,* August 26, 1928.

on the decisions of the great Powers than upon decisions in Belgrade.

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It would be a fatal mistake, indeed, to assume that any of Yugoslavia's foreign policies are to be determined solely by the nature of her relations to immediate neighbors. Her dependence on France is too well known to call for comment, and fateful things hang upon the operations of France and Italy in the Mediterranean. To these operations England is an active party, having an eye to the balance of power, now giving the Yugoslavs a fright by friendly demonstrations toward Italy and now encouraging them by naval understandings with France. Assuming that England, like other imperial nations, is governed by her practical interests, Yugoslavia can look for no sacrificial offerings in that direction. On the other hand, now that the German military drive to the East has been relaxed, more than cordial relations have been established between Berlin and Belgrade. The Yugoslavs have need of German capital, efficiency, and manufactures, and the all-water route—Elbe-Danube-Morava-Vardar—when fully developed, offers an easy freightway from Germany to the Southeast. Although Serbian politicians have close relations with France, it should be noted that Serbian engineers and businessmen generally speak German and know the markets and methods of Germany. With Hapsburg ambitions out of the way, Yugoslavia and Germany steadily multiply their economic connections, presaging increasingly cordial diplomatic negotiations. Deprived of

colonies, Germany turns to all quarters looking for new outlets for her surplus goods, and the Danube region beckons.

And what of Yugoslav relations with Russia, the oldest and most powerful of the Slavic countries? Formally there are no relations, for Belgrade has not recognized the Soviet régime and the government at Belgrade supports out of taxation several thousand White Russian refugees. It is claimed that this extensive charity is due to gratitude for Russia's service in emancipating the South Slavs, not to sympathy for the emigrant enemies of Bolshevism; but however this may be, it is not so viewed by the authorities in Russia. The vigorous vigilance of the Yugoslav police in catching and expelling Bolshevik emissaries, real and alleged, coupled with support for the White refugees, has convinced Moscow that no encouragement is to be expected from the new Kingdom. If, as contended, there is a strong undercurrent of opinion in Yugoslavia in favor of recognizing revolutionary Russia, the fact stands out that no signs in that direction have come from the Foreign Office in Belgrade. Indeed, the so-called flirtation of Stephen Raditch with Russia did not signify any love among the Croats for Bolshevik doctrines; on the contrary Mr. Raditch and his party condemned communism in every form and, if anything, leaned toward the rich peasants rather than the poor. Blood may be thicker than water, but it is difficult to imagine two governments as antagonistic in form and spirit as those of Russia and Yugoslavia working in close harmony on any kind of common foreign program. The days of Sazonov and Pashitch have passed.

Of course, it may be said that the Little Entente which Yugoslavia has formed with Rumania and Czechoslovakia and the treaty of alliance signed with France late in 1927 [8] furnish insurance for a vigorous policy. Nothing could be further from the truth. These understandings have been useful, but the weakness of the former on various occasions and implications of the latter for another world war, with the usual surprises in outcome, call for caution. Liabilities as well as assets are involved in them, and resort to either support, even in a clear case of defence against aggression, would raise the possibility of fatal risks.

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From this survey of her foreign affairs, it seems safe to conclude that Yugoslavia's fundamental interest, whether viewed from the angle of national advantage or human welfare in the large, demands a pacific policy. Although it is customary for practical men to rely on money and arms, that reliance is not without dangers. If the moral opinion of mankind is imponderable, it none the less counts for something, especially since Europe would be implicated in the next Balkan war as in the last. Now, nothing is more certain than the condemnation which mankind visits upon the head of the braggart who goes about rattling his sword, threatening his neighbors, and looking for trouble. When such a disturber of peace gets into difficulties, he receives no sympathy and deserves none. On the other hand, when the man who practices moderation in word and deed encounters misfortune his call for help awakens a

[8] Hamilton Fish Armstrong, *The New Balkans*, p. 161.

hearty response. At their peril can statesmen ignore this simple human fact. It is by restraint in diplomacy and by fairness in the treatment of the minorities within her borders that Yugoslavia can hope to command the support and friendship of the world in her effort to create a nation out of many diverse elements.

At all events, it is difficult to imagine a war in the Balkans that could confer substantial benefits upon any of the participants without sowing the seeds of a new conflict likely to undo all the advantages gained. A reconstruction of the Austro-Hungarian Empire, enriching Vienna and Budapest at the expense of provinces inhabited by alien races seems out of the question. Nothing decent can be said in support of it. Conceivably Italy might wrest the entire Adriatic Coast from Yugoslavia, thereby adding a discontented Slav population to her possessions, without obtaining any natural resources of importance for her industries. Could the gain of such a seizure possibly equal the profits of a growing trade with a prosperous neighbor? Conceivably Hungary might regain Voivodina, a rich grain region containing a number of Hungarians and still more people belonging to other nationalities. Conceivably Bulgaria might annex a portion of Macedonia and with it quite a number of Serbs, Albanians, and Greeks, thus inheriting the troubles that vex Belgrade. Assuming, for the sake of argument, a certain justice in the claims of the possible participants in a possible Balkan war, do the peoples of Germany, France, England, and the United States wish to shed their blood and pour out their treasure in an effort to substitute new wrongs for old?

In any case have the Yugoslavs one substantial thing to gain by even a victorious war, either localized or general? They might annex Albania, cut off slices of territory now belonging to Austria or Italy or break through to the Aegean. But by any such operation they would add hostile nationalities to the minorities already within the Kingdom and leave smoldering fires ready for the new war. To put the issue on the lowest level, no new natural resources or harbor facilities of vital significance could be added by conquest. Already well endowed in material goods and possessing access to the open sea, Yugoslavia cannot offer that ancient pretext, "economic necessity," as a justification for war and indeed her responsible statesmen know this full well. Owning a rich heritage of agricultural land, minerals, forests, and water power, nearly all in a primitive state of development, Yugoslavia has no ground for pleading poverty and looking with envious eyes upon the property of her neighbors. Surrounded by powerful nations, her best hope in international affairs is in peace. Her fate rests primarily upon decisions made in the capitals of Western Europe—and the opinion of mankind is not to be despised.

Although all the parties of Yugoslavia are officially and formally committed to a program of peace for the Balkans, only two parties have officially declared in favor of a Balkan federation. Such a peasant federation was proposed in the regular program of the Croatian Peasant party issued in 1921,[9] but the position of the party at the present moment is more dubious; none of its recent proclamations lays stress

[9] Above, p. 143.

on that feature of its platform. On the other hand, the Socialists have consistently favored Balkan pacification and unity. At their convention held in Belgrade in April, 1928, they adopted a resolution in favor of "A free federation of the free and equal peoples of the Balkan Peninsula." They condemned "the bitter and bloody struggles between Serbian and Bulgarian chauvinists for dominion over the Macedonian Slavs" and demanded an agreement based on equality of rights. They urged the government to renounce warfare as an instrument for settling disputes with other Balkan states and to abandon militaristic methods in handling minorities within the Kingdom—all with a view to realizing "a complete internal democracy" and contributing to external security.

§

While maintaining a foreign policy that is avowedly conciliatory, Yugoslavia places a firm reliance on a high degree of military preparation, thus conforming to the example of the other Powers which, in spite of the League of Nations and their numerous peace treaties, continue unabated the development of their armed forces. Under the existing law, the duty of all Yugoslav men between the ages of twenty-one and forty [10] to serve is universal; the period of service, *i.e.*, eighteen months in the active army, is followed by continued liability to call from the reserves graded according to age up to fifty. This system produces an active army of 13,942 officers and 102,000 men, supplemented

[10] In war time, the ages extend to eighteen and fifty. For details, see *Armaments Year Book* (League of Nations), pp. 756-769.

by the potential reserves, making a mobilization strength of about one million soldiers.

These land forces are reënforced by a small navy, consisting principally of torpedo boats, mine layers, and other craft taken from the Central Powers. But there is on foot a popular agitation for an extension of the sea power. A popular society, *Jadranska Straza* (Adriatic Defence), with many local branches, demands an increase in the outlays for naval purposes and larger subsidies for the merchant marine. Can Yugoslavia hope to outbuild Italy and become the dominant power in the eastern Mediterranean? If so, to what advantage? Economists have not yet made a satisfactory answer to these questions. Military observers of cautious temper, recalling the experience of Germany and England, are inclined to the view that the greatest security for Yugoslavia lies in a purely defensive maritime policy and the maintenance of a strong mobile army for positive action. As already indicated, the decision here hangs upon foreign policy.

A third branch of national defence is the aviation service which has been rapidly developed since the union, in connection with commercial lines, local and international. Mounting appropriations indicate a growing interest in this enterprise and an Aero Club under royal patronage carries on a lively agitation to convince the nation that "aviation is the most powerful weapon of war" and deserves a more generous financial support.

Although military authorities are fairly unanimous in the opinion that their branch of the government service does not receive adequate support, the appro-

priations for the Ministry of Army and Navy show a steady increase. For the fiscal year 1927-28, they amounted to nearly one-third of the total outlay of the government for general purposes—more than three times the allowance for education and sixty times the sum devoted to agrarian reform. When the burden of taxation and the pressing needs of productive enterprises for capital are taken into account, the significance of peace for the national economy of Yugoslavia can be reckoned in terms that admit of no argument.

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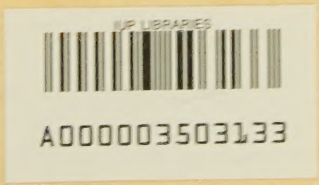

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